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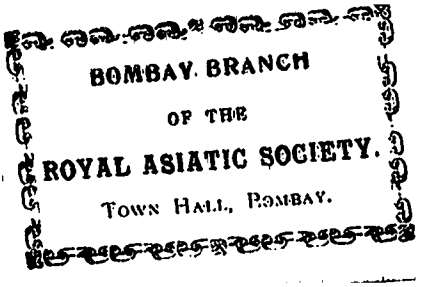

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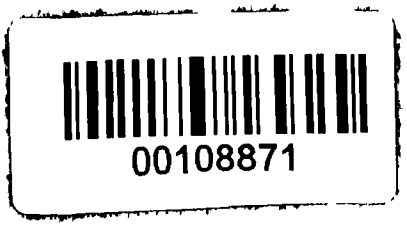

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Note on Election Procedure by the Government of the Punjab, Transferred Departments.

THERE are 64 general and 7 special constituencies of the Punjab Legislative Council. All of them are one member constituencies. The constituencies are called upon by the Local Government by notification to elect their members and the dates for nomination, scrutiny and election are also appointed and notified by the Local Government. The date for the nomination of candidates is a date not later than the 14th day after the date of the notification calling upon the constituency to elect a member. The date for the scrutiny of nominations is within seven days of the date for nominations. Nomination papers are received by the Returning Officer of each constituency on or before the appointed date between the hours of 11 o'clock in the forenoon and 3 o'clock in the afternoon. Each candidate is required to deposit with the Returning Officer a sum of Rs. 250 in cash or Government Promissory Notes on or before the date appointed for the nomination of candidates. Withdrawal of candidature may be made in writing by the candidate concerned by the day following the scrutiny before 3 P.M. A list of valid nominations is then prepared by the Returning Officer and put up in some conspicuous place in his office. If the number of duly nominated candidates is more than one, their names are published in the official gazette as well as in the headquarters of the district or districts and of the tahsil or tahsils in the constituency concerned. If there is only one candidate, he is declared duly elected.

2. Votes for general constituencies are recorded at polling stations. In the case of each Special Constituency ballot papers are sent by post to the electors who mark and return them to the Returning Officer by post or otherwise. The elector is required to have the covering letter forwarding the ballot paper back to the Returning Officer signed by the Returning officer, a Justice of the Peace, a Magistrate, Civil Judge or Political Officer certifying that the elector is the right person and has signed the covering letter in his presence.

3. To give a general idea of a polling station two model plans for polling stations are attached *, (1) for polling to be held in a building and (2) for an open air polling station to be constructed only if no suitable building is available. In case of the former plan it may not suit all buildings but it is generally applied as far as circumstances permit. The polling station consists of two compartments, one for the polling officer and his assistants and the other for the presiding officer. Space is also provided for candidates and their election agents. There is one polling officer and one presiding officer at each polling station. The presiding officer is supplied beforehand with ballot papers, copies of the relevant electoral roll, official punch, a ballot box, a bag, a seal and materials required for marking the ballot papers and preparing ballot paper accounts, etc., votes are recorded from 9 A.M. to 4 P.M. with an interval of half an hour from 1 to 1-30 P.M.

4. Before the commencement of the poll the presiding officer is required to show the ballot box empty to persons present at the polling station. He then locks it up and seals it so as to prevent its being opened without breaking such seal. Before opening the polling station for the recording of votes he is also required to read and explain to the persons present at the polling station the provisions of section 14 of the Indian Election Offences and Enquiries Act, 1920, regarding the observance of secrecy of voting. The elector first enters the polling officer's compartment to receive his ballot paper. The duties of a polling officer consist merely in supplying the ballot papers to the electors and punching the ballot papers before

* Not printed.

Note on Election Procedure by the Government of the Punjab, Transferred Departments. [*Continued.*

they are issued. He is assisted by two assistants usually patwaris. As each elector enters the polling station one of the assistants who has the electoral roll in his hand reads out the elector's number, name and description while the other enters the number of the elector in the counterfoil of the ballot paper and takes his signature or thumb-impression. The ballot paper is then stamped by the polling officer with the official punch mark and delivered to the elector. A mark is then placed in the copy of the electoral roll by the patwari holding the roll against the number of the elector to denote that he has received the ballot paper. All this is done under the direct supervision of the polling officer who is responsible for seeing that no ballot papers are delivered to electors unless they have been duly punched.

5. The presiding officer is seated in the next compartment and on the table before him is kept the ballot box. The elector on receipt of ballot paper goes over to this compartment. He is to mark his paper with the cross mark against the name of the candidate in whose favour he wishes to record his vote. After the ballot paper has been marked the presiding officer is to satisfy himself that the ballot paper bears the official punch mark which can be seen without unfolding the ballot paper. As ballot papers without the official punch mark are invalid, the presiding officer is required to see that no such papers are put in the ballot box. To safeguard against this default an official is posted at the entrance to the presiding officer's compartment to see that ballot papers have been duly punched. In case any elector is by reason of illiteracy or infirmity unable to vote in the manner prescribed, the presiding officer is required at his request and in the view of any polling agents who are present, to make a cross on the ballot paper according to the direction of the elector. The other duties of the presiding officer are to keep order at the polling station, to see that the election is fairly conducted and to regulate the number of electors to be admitted at one time.

6. If the identity of an elector is called in question, and if there is any suspicion about it, the presiding or polling officer is required to make a summary enquiry from the elector as to whether he is the person whom he represents himself to be and whether he has voted at the present election in that or any other general constituency. If he answers the first question in the affirmative and the other in the negative he must be given a ballot paper. If his identity is called in question before any other person has voted as the elector whom he represents himself to be, he is given the ordinary ballot paper. If, on the other hand, he represents himself to be an elector whose name has already been marked off on the electoral roll and therefore appears already to have voted, he is given a tendered ballot paper. Such ballot paper is of a different colour from the ordinary ballot paper. The colour generally adopted is yellow. After it is marked, it is given to the presiding officer instead of being put into the ballot box, and endorsed by him with the name of the elector and his number on the electoral roll and is set aside in a separate packet. The person tendering such ballot paper is required to sign his name and address thereon or affix his thumb-impression against the entry on the list. If any polling agent declares or undertakes to prove that any person by applying for a ballot paper has committed the offence of personation, the presiding officer may require such person to enter his name and address in the list of challenged votes and take his signature or thumb-impression and may further require him to produce evidence of identification. After making a summary inquiry as aforesaid, the presiding officer makes a note of the case and records his decision on the list of the challenged votes. If the person is allowed to vote, he is informed of the penalty for personating before recording his vote. In case a voter has spoilt his ballot paper inadvertently he is allowed another ballot paper in place of the spoilt paper on handing over the latter to the presiding officer and satisfying him of the inadvertence. Such, spoilt allot paper is marked as cancelled together with its counterfoil.

Note on Election Procedure by the Government of the Punjab, Transferred Departments. [*Concluded.*

7. At the close of the poll, the lid of the ballot box and the lock with the key attached are covered with cloth and sealed. The presiding officer then makes separate sealed parcels of the following :—

(1) the unissued ballot papers,
(2) the tendered ballot papers,
(3) the spoilt ballot papers,
(4) the marked copy of the electoral roll,
(5) the counterfoils of the ballot papers,
(6) the counterfoils of the tendered ballot papers,
(7) the tendered votes lists, and
(8) the list of challenged votes,

noting on each the name of the polling station, and the nature of the contents of the parcel. The ballot box and all these parcels are then placed in a bag provided for the purpose on which the name and number of the polling station are marked. The bag is sealed at the knot of the string and is then made over to a police officer who is responsible for conveying the same to the district headquarters. The presiding officer is also required to send separately to the Deputy Commissioner concerned an account of ballot papers.

8. The Deputy Commissioner opens the ballot boxes, on a date appointed by him, in the presence of any candidate or agent who may desire to be present. He takes out the ballot papers so as not to unfold them and distributes them according to their respective constituencies (in cases where more than one community has polled). After counting the ballot papers of each constituency he makes separate sealed parcels of them. He also opens the parcels of unissued ballot papers of each constituency and polling station, counts and makes a sealed parcel of them. For each constituency and polling station he checks with the presiding officer's account the number of ballot papers found in the ballot boxes and the number of unissued ballot papers received by him. He retains the unissued ballot papers for safe custody and forwards the ballot papers in a sealed parcel to the Returning Officer concerned, who does the counting on a date, time and place, notice whereof has been given in writing to all candidates and election agents. Deputy Commissioners who are themselves Returning Officers generally do the sorting and the counting on the same day. When the counting of the votes has been completed the Returning Officer declares the candidate who secures the largest number of votes, to be elected.

9. In the Punjab there are separate constituencies for Muhammadans, Non-Muhammadans (which include Hindus, Addharmis and Christians) and Sikhs. As a mark of distinction the ballot paper is white for Muhammadans, pink for Non-Muhammadans and blue for Sikhs. Generally separate polling stations are provided for different communities. But in places where the number of voters is small one polling station is used for more than one community. In such cases the number of subordinate staff is increased to deal with the electors of the different communities.

10. The number of polling stations in the 1930 general elections was 1,090 of which 228 were urban and 862 rural. The standard adopted as regards the maximum number of registered voters for each polling station is 750 per day in rural areas and 500 in urban areas. Polling in rural areas generally takes four days, and is held on alternate days so as to enable the polling officer to travel from one polling station to another in good time. In urban areas the polling is completed in one day.

11. The use of identity vouchers was discontinued after 1920 elections.

* * * * * * *

Memorandum submitted by Mr. E. M. JENKINS, I.C.S., Deputy Commissioner, Amritsar.

Turning to the questionnaire, the first point on which my opinion is asked is whether it would be administratively possible to handle an electorate of approximately 84,000 rural voters. The administrative measures necessary to the conduct of an election so far as the voters are concerned are—

(*a*) the registration of voters;

(*b*) the disposal of claims and objections;

(*c*) the polling; and

(*d*) the counting of votes.

The work under head (*a*) is done by the Patwaris. They succeeded in registering some 80,000 voters in rural areas at the Gurdwara Elections of 1926, and provided that it is made quite clear that the prospective voter is entirely responsible for having his name registered, no special difficulty should arise. I make this point, because I have known candidates and others except the Patwaris to make active efforts to register names. House to house enquiries with an extended electorate would be out of the question, and should be forbidden.

The disposal of claims and objections, under head (*b*), might be a very big business, but the work could be done if Ilaqa Magistrates were made responsible for their own police stations.

The crux of the problem is the polling [head (*c*)]. In 1926 the Sikh Gurdwara electorate in this district (rural and urban) numbered 88,655. The polling was conducted largely by non-officials. This was possible, as non-Sikhs were in no way interested in the result of the elections. The present District Board electorate is 57,110. At the last elections half of the seats (there are 30 seats in all) remained uncontested, but I have had to manage an electorate as large as this elsewhere on an occasion when contests were keen. A rural polling station dealing with inexperienced and illiterate voters can record 800 to 1,000 votes in a day. Assuming a very high poll, an electorate of 84,000 would represent the work of say 84 polling station-days and could be dealt with by 14 polling-station-staffs in six days. It would be possible to find one gazetted officer for each polling station (say four Extra Assistant Commissioners, four Sub-Judges, three Tahsildars, two Income Tax Officers and one District Inspector of Schools) and the provision of 28 official and non-official assistants would not be very difficult. There would, of course, as at present, be considerable interference with the routine work, but this is inevitable.

The counting of votes [head (*d*)] is a matter of organization, and would not be very difficult.

Personally I am of opinion that an electorate of 84,000 could be managed.

Secondly, I am asked to state how far the depressed classes will be enfranchised if, for example, tenants holding 6 acres of irrigated or 12 acres of un-irrigated land are given the vote. When information was collected in 1930, tenants were placed in 5 classes. The first class included tenants holding less than 6 acres irrigated or less than 12 acres unirrigated but holding not less than 3 acres irrigated or 6 acres unirrigated. The second class included tenants holding more than those in class (1), but less than 12 acres irrigated and less than 24 acres unirrigated. The total number of tenants included in the 2nd, 3rd, 4th and 5th classes was 11,197. Of these 825 belonged to the depressed classes as under:—

Chuhra	593	Kahar	127
Dhobi	31	Mahtam	10
Julaha	64		

Of these for practical purposes the Chuhras are probably the only depressed class, though the others mentioned above are included in the list adopted for census

Memorandum by Mr. E. M. JENKINS. [*Continued.*

purposes. In this district although Chuhras and Chamars are extensively employed as agricultural labourers, they are comparatively seldom shown as tenants in the revenue papers. They cultivate either as labourers, pure and simple, or are associated with their landlords in cultivation (Sharik Kasht). The number 825 must include a certain number of tenants in the 2nd class who would not be entitled to the vote. It may, I think, be taken that the number of members of the depressed classes to be enfranchised as tenants would relatively not be great.

The third question is whether a system of primary elections by group electorates is administratively possible. The system has undoubted attractions. I have discussed it in two or three typical Jat villages and find that the people readily understand the idea, and that it appeals to them. The educative value of primary elections would be considerable and might make the administrative work connected with elections simpler in years to come. At the same time I have so far been unable to think of any practical method by which primary elections could be carried out to the satisfaction of all concerned. I presume that the elections would have to be conducted with proper formality. There are over one thousand villages (revenue estates) in this district, while in two other districts, Hoshiarpur and Gurdaspur, which I know fairly well, there are 2,179 and 2,685 villages respectively. I consider that village to village elections under instructed official control would be out of the question, and that if the group system is to be introduced, the work (including, it must be remembered, the registration of voters, the disposal of claims and objections, the nomination of candidates, the polling, and the counting of votes) must be done by Patwaris and non-officials. I have considered the adoption of the zail as the unit. The average number of voters would be of the order of 10,000 and the list of candidates would be so long as to be hardly comprehensible. Anything much larger than the village would be unmanageable. Hitherto our only experience of village elections has been under the Punjab Village Panchayat Act, 1921. The elections under this Act are conducted by an official, but there is no formality. Reasonable notice is given that the election is to be held, and candidates are openly put up and voted for by show of hands. In my experience disputes are frequent, but they are cured by a provision in the rules which makes the confirmation of an election by the Deputy Commissioner final. It is my practice never to interfere with a Panchayat election unless there is some extreme irregularity, as for example, complete want of notice, the holding of the election in the wrong village and so on. My experience with Panchayats does not lead me to suppose that the more formal procedure required by the group system of primary elections for the Legislative Council would be successfully worked by committees of non-officials or otherwise. To an outsider the intensity of village feuds in the Punjab must seem almost incredible, but you are well aware that in nearly every village there are two or more parties each of which is anxious to humiliate its opponents, on all possible occasions and by all possible means. It would be difficult and probably impossible to arrange for primary elections generally on the basis of class groups, and I agree with you that the only possible method would be to treat the village or other unit selected as a multiple constituency in which the voters would exercise a single non-transferable vote. This being so, in many villages there would be considerable disagreement as to the men to be selected, and a defeated candidate would invariably state that his supporters had not been permitted to vote, that others had personated them, that votes had been destroyed and so on and so forth. When there is no presumption that the regular procedure has been followed throughout, complaints of this kind are difficult either to prove or to refute. It follows, in my opinion, that the use of the group system on a large scale involving the handing over of the primary elections to non-officials is not feasible. There is nothing wrong with the system itself which, as I have said above, is readily understood by the people and could be worked with perfect ease by any experienced officer in a limited number of villages. It is the wholesale application of the system that presents the

Memorandum by Mr. E. M. JENKINS. [*Concluded.*

difficulty. It may be that the Franchise Committee does not attach importance to the formality of the primary elections, but I should myself say that, unless formality can be observed, it is better to adopt some other system.

Memorandum submitted by Mr. J. E. KEOUGH, Deputy Commissioner, Lyallpur.

1. EXTENSION OF THE FRANCHISE.

(*a*) According to the 1931 Census, the population of the Lyallpur district is as follows :—

Males.	*Females.*	*Total.*
630,750	520,600	1,151,350

which includes the population of Lyallpur and Kamalia, two towns of over 10,000 population. Excluding these two towns the rural population is 1,095,000. To franchise ten per cent. of the rural population we must have 109,500 and the main question is whether it is practicable and feasible to increase the number of voters to 109,500 which would mean practically doubling the present electors which excluding Kamalia area, is as follows :—

Muhammadan rural	30,500
Sikh rural	17,250
Non-Muhammadan rural	3,250
Total rural voters .	51,000

In order to accomplish this it would be necessary to lower the qualifications to the payment of Rs. 5 and include tenants who cultivate at least 6 acres of irrigated or 12 acres of unirrigated land. If this was done the rural voters, so far as this district is concerned, would be considerably more than doubled and it would be as much as could be coped with from the point of view of practical considerations involved in the conduct of elections.

(*b*) Yes.

(*c*) Ten per cent. of electorate would present difficulties but they could be overcome so far as this district is concerned by prolonging the time taken by the election to, say, four days.

(*d*) Does not arise.

(*e*) It would not be practicable, in my opinion, to enlarge the electoral roll still further. The larger electorate would, in my opinion, be unmanageable.

(*f*) I am personally not in favour of the indirect system of voting. Such a system would present serious administrative difficulties. If, however, such a system were to be adopted, I would favour the group system of voting in rural areas taking a revenue estate as a unit and allowing one subsidiary voter for every 25 adults in the village, keeping the depressed classes as a separate group or groups. The group elector should, however, vote in the same constituency as the directly qualified electors. Separate constituencies are not required as the group electors will not represent any special interest. To have separate constituencies would, I venture to think, create factions and give rise to administrative difficulties.

(*g*) In view of my answer to (*f*) this doesnot arise.

(*h*) (*i*) and (*j*) No remarks.

2. FRANCHISE QUALIFICATIONS.

(*a*) Yes. There is a marked disparity in the operation of the franchise qualifications in Urban and Rural areas, the main reason being that while in Urban

Memorandum by Mr. J. E. KEOUGH. [*Concluded.*

areas tenants paying a certain annual rental are qualified, no such provisions exist for agricultural tenants, but by the proposals mentioned above for increasing the rural electorate to ten per cent. of the population by lowering the landlords' qualifications and enfranchising certain number of tenants, the disparity will, to some extent, disappear.

(*b*) I am inclined to think that this would involve a different qualification for voting in the various communities which would not be easily solved and personally I am not in favour of such a system which, however, would only be necessary in the case of a joint electorate without reservation of seats.

(*c*) Some property qualifications are, in my opinion, necessary, if the number of electors is to be kept at a manageable proportion, and in the proposals for lowering the qualifications rural tenants have also been provided for.

(*d*) I am not in favour of introducing a qualification based merely on education, independently of property, but if any such qualification is introduced I think it ought to insist on the Matric. standard.

(*e*) I am in favour of retaining the existing military service qualification, but would not extend it so as to include service in Auxiliary and Territorial Forces.

3. WOMEN'S SUFFRAGE.

(*a*) I am not in favour of increasing the women electorate in the way suggested in the questionnaire. In my opinion women should receive the vote on the same property qualifications as the men. It must be remembered that a wholesale increase in the women electors would create very many serious administrative difficulties, because there would have to be separate polling stations for women and it would be impossible to find a sufficient number of women presiding and polling officers and assistants.

(*b*) If the system of group representation is established I do not think the women should be formed into separate groups but should be grouped along with the men.

(*c*) No remarks.

4. REPRESENTATION OF THE DEPRESSED CLASSES.

The enfranchisement of tenants would, in my opinion, include a considerable number of the depressed classes.

So far as I have been able to ascertain the following are regarded as belonging to the depressed classes so far as this district is concerned :—

Ad-Dharmis, Balmek, Chuhras and Chumars.

5. REPRESENTATION OF LABOUR.—*Nil.*

5 (*a*) REPRESENTATION OF SPECIAL INTERESTS.—*Nil.*

LAHORE.
Dated 31st March, 1932.

PRESENT:

ALL MEMBERS OF THE INDIAN FRANCHISE COMMITTEE EXCEPT SIR ZULFIQAR ALI KHAN AND MR. E. MILLER, AND ALL MEMBERS OF THE PUNJAB PROVINCIAL FRANCHISE COMMITTEE.

Mr. E. M. JENKINS, I.C.S., Deputy Commissioner, Amritsar.
Mr. J. E. KEOUGH, P.C.S., Deputy Commissioner, Lyallpur.
Khan Sahib Sheik FAZAL-I-ELAHI, P.C.S., Joint Secretary to the Government of the Punjab (Transferred Departments).

(The reported copy of the evidence of the above witnesses was not accepted by them as a true record. The following is a summary of the evidence subsequently submitted by Mr. Jenkins.)

1. *The Chairman* asked who was to be the principal spokesman for the official witnesses. *Mr. Miles Irving* replied that I would be the principal spokesman and in reply to a question by *the Chairman* I gave the opinion that it would be possible to poll ten per cent. of the population.

2. The Committee then proceeded to ask a number of questions regarding the actual administrative arrangement for polling. Khan Sahib Sheik Fazal-i-Elahi had submitted a note* on this subject and most of the questions were answered by him. Mr. Keough and I took part in the discussion.

In reply to a question by *Mrs. Subbarayan* as to the number of honorary women workers who would be available to assist in the polling of women I replied that in Amritsar figures had been prepared showing that there might be between twenty and thirty women qualified and willing to act as polling officers and polling assistants. The official who produced the statistics told me that one-half of these women would probably back out if actually called upon to serve at an election, and that we might therefore be left with about ten honorary workers who could, assuming a four days poll, manage something like forty thousand voters.

3. In connection with the coloured box system *Mr. Butler* observed that the present practice of using different coloured ballot papers seemed to show that the principle of the coloured box system was already understood. I pointed out that the use of coloured ballot papers was for the convenience of the officials and not for the convenience of the public. I told the Committee that under the system now in force a single box is used for all Council or Assembly constituencies at each polling station and that the votes polled in a single box are sorted and counted by the Deputy Commissioner who after his check is complete, sends the ballot papers for each constituency on to the Returning Officer. The papers are coloured in order to facilitate the sorting and counting.

4. *Mr. Tambe* referring to the note submitted by me asked whether it was correct that the number of votes which could be recorded in a day was 800 to 1,000. I replied that that was the official figure given by me in a letter of the 26th February, 1932. I added that in a later report I had expressed the personal opinion that it might be possible to poll a larger number of votes. At a District Board election I had actually seen 1,600 votes polled in a day. I had taken 800 to 1,000 as the basis of my calculations for the number of polling stations required as approximately 800 votes was the daily standard to which we ordinarily work.

* Pages 1—3.

31st March 1932.] Messrs. E. M. JENKINS, J. E. KEOUGH & Khan Sahib Shaik FAZAL-I-ELAHI. [*Continued.*

5. In reply to a further question by *Mr. Tambe* I expressed the opinion that with the spread of education and political experience the process of voting would become considerably quicker.

6. In reply to a question by *Pandit Nanak Chand*, I agreed that polling was most brisk between the hours of say 11 A.M. and 3 P.M. This was due to the fact that many voters had to come from considerable distances to vote and had to return to their homes after voting. I pointed out, however, that the practice was for candidates to make arrangements to convey their supporters to the poll in buses and that very many voters arrived at the polling stations in buses.

7. *Pandit Nanak Chand* enquired whether this was not illegal and I replied that whether it was illegal or not it was the practice.

8. In reply to a question as to the use of symbols in municipal elections, I admitted that dots are used to distinguish the candidate in municipal and District Board elections. The dots are printed against the name of each candidate on the ballot paper. I expressed the opinion, however, that the dots had not so far been of very much use as illiterate voters persisted in asking the Presiding Officer to mark their papers. I added that, of course, an illiterate voter coulp see if he took the trouble that the mark was correctly made according to the number of dots, but that at a recent election I had found that the existence of the dots was not generally realised, and after the election people had remarked to me that had they known of the dots system, they would have made use of it.

9. In reply to a question by *Rai Bahadur Chaudhri Chhotu Ram*, I expressed the opinion that no lowering of the land revenue qualification for the vote would bring any appreciable number of the Kamin classes. I stated that I had made a rough comparison between the figures for the Amritsar Sikh Rural Constituency of the Punjab Legislative Council and of the figures for the corresponding portion of the District Board electoral roll. The property qualification for voting at a District Board election is considerably lower than the property qualification in force for voting at a Legislative Council election. I found that even the lower qualification brought in a very small number of Chuhras and Chamars and members of other classes generally regarded as depressed. Most members of the Kamin classes come into both the electoral rolls mainly on personal qualifications. For example some are non-Commissioned Officers others are pensioned and discharged soldiers and so on. The number of voters of these classes who came into the District Board electoral roll as paying a small tax was very small compared with the total number of so called depressed class voters.

10. In reply to a further question I agree that the holdings in the Hoshiarpur and Amritsar districts are small. I admitted that there are perhaps other districts where a considerable number of members of the Kamin classes hold land both as owners and tenants, but mainly as tenants. I stated that the strength of the police in a mufassil thana would ordinarily amount to one Sub-Inspector, one Assistant Sub-Inspector, one Moharrir and about ten Constables. Police arrangements are necessary at polling stations and the Police are responsible for taking charge of ballot boxes and transmitting them to headquarters. An election makes a good deal of extra work for the Police, and it must be remembered that a certain number of Police men are always actively employed, especially at hotly contested elections where there is pushing and hustling at polling booths.

11. *Mr. Butler* questioned me as to the working of the Panchayat system. I replied that the system was so far in its infancy in the Punjab. The Punjab Village Panchayat Act, 1921, came into force in that year and it vests in panchayats civil and criminal jurisdiction and also certain administrative functions such as responsibility for roads, lighting, etc., in villages. A panchayat ordinarily consists of from three to five members and the members are elected by show of hands. I was personally well acquainted with the working of the system and considered

that some of the panchayats are working well, while many are working indifferently. I was unable to say that at present the system was a complete success, for as already remarked the system is still in its infancy.

12. *Mr. Butler* then questioned me about the method of election. I repeated that election was made by show of hands and that it would be unprofitable to go into details. Elections are confirmed by the Deputy Commissioner, and it was my practice to confirm an election unless I found that there had been some extreme irregularity, such as the holding of an election in the wrong village or something of the kind. I pointed out that from my experience of panchayats I had considerable doubt about the working of the group system through the agency of subordinate officials and local non-officials. I presumed that the group system to be successful would have to be worked with due formality, and I felt that there would be little formality about a group election on panchayat lines. I thought that if formality could not be attained it would be better not to introduce the group system at all.

13. *Mr. Butler* asked me if I thought that it would be possible to make use of the panchayats as the basis of Council elections instead of introducing a group system. His idea was that one of the members of each panchayat should be treated as a representative of his village. I pointed out that this would not at present be possible as in the Amritsar district there are now about thirty-six panchayats in a total of roughly 1,100 villages. If the representatives were taken from the panchayats the number of villages so represented would be very small.

14. *Mr. Butler* then asked me whether in the event of the panchayat system being extended I would object to a member of the panchayat being treated as the village representative. I replied that I saw no objection in principle, but that the additional number of voters brought into the electoral roll by such a system would be very small, *e.g.*, in the Amritsar district only about 1,100 additional voters would come into the roll.

15. *Another member* then asked me whether I thought that the group system would work in the Amritsar district. I replied that I thought that the working of the system would be very difficult.

16. *Major Milner* asked my reasons for holding this opinion and I replied that the only way of working the system that I could think of was to take a village with a population of 3,000 or 4,000 or some other fairly small unit and to conduct primary elections on the basis of a single non-transferable vote.

17. It was suggested to me that groups might be formed as was done experimentally in the United Provinces of about twenty persons residing in five houses and that the composition of groups might be altered from time to time by the Patwari. I pointed out that it would be the alteration that would give trouble. A Patwari is frequently one of the most, or the most, important man in a village, and most people would think that the Patwari would be ready to oblige his friends in making alterations in the list.

18. Next it was suggested that a special staff might be employed for the house to house formation of groups and for the readjustment of groups from time to time. This staff would also conduct the primary elections.

19. One of the witnesses remarked that there were 35,000 villages in the Punjab and I remarked that in the three districts of which I had held charge there were 2,179 villages in the first, 2,685 in the second and about 1,100 in the third. I said that I did not consider that the group system was mechanically workable. If we were compelled to work it, we should, of course, have to devise machinery, but I did not, at the time, see how this was to be done. I added in reply to further questions that to work the system a permanent superior staff would be necessaryI and that an officer of the status of a Tahsildar might perhaps do the work.

stated that Tahsildars now draw a salary which in some cases is as much as Rs. 400 per mensem. I expressed the opinion that the group system on a small scale could be extended if it was found to be a success. The working of the system was largely a matter of expenditure.

20. *Khan Bahadur Aziz-ul-Huque* asked me whether the money lenders would not exercise undue influence in primary elections and I replied that as stated in my note I was of opinion that money lenders, Patwaris and other local notables would exercise a great deal of influence, and that this was one of my reasons for opposing the system.

21. *Dr. Ambedkar* enquired what the qualifications were for voting at panchayat elections. I replied that the main qualification was payment of Chaukidara. The Chaukidara is assessed by houses, and there is one Chaukidar for a beat of approximately one hundred houses. The Chaukidara is paid either in grain or in cash. Any person paying Chaukidara is entitled to vote. In view of the fact that there is one voter for each family the system approximates in effect fairly nearly to adult suffrage.

22. *Dr. Ambedkar* asked me why panchayats were frequently unsatisfactory, and I replied that there was much faction feeling in villages, that judicial decisions would be coloured by faction feeling, that unjust decisions gave rise to friction and friction gave rise to further judicial proceedings and so on. I stated that I knew of no case in which a member of the depressed classes had been elected to a panchayat.

23. *Lord Dufferin* asked me whether it would not be possible to use Qanungos to conduct the primary elections. I replied that Qanungos are in very close touch with village affairs and are not very differently placed from Patwaris. In a matter of this kind a Qanungo is really a Patwari writ large.

24. *Sir Muhammad Yakub* asked me whether I could suggest any alternative to the group system with the object of giving political education to the masses. I said that I could make no suggestions. Later, on the matter being pursued, I pointed out that elections to local bodies gave the best political training to the masses. If the franchise for the provincial legislature were to be lowered, qualifications for voting for District Board elections would be lowered still further. Very large sections of the population would then be in a position to take an interest in administrative matters. The member suggested that voting at elections for local bodies is fundamentally different from voting for a provincial Legislative Council. I gave the opinion that the principle in both the elections is the same. In the Punjab especially in the rural areas people are mainly interested in the amenities provided for them by Government: in other words they expect their representatives to see that money is spent on schools, roads and hospitals, and the principle is the same whether the representative is sitting in the District Board or in the Legislative Council. A man who has voted once or twice at a Municipal or District Board election was in my opinion quite competent to vote at a Legislative Council election.

25. I was then asked what my objection to the group system as a supplementary system was. I repeated that I regarded the system as mechanically unworkable and that I thought that it would not produce a satisfactory electorate. I thought that the whole system would be open to grave criticism, but it could be worked in a limited number of villages.

26. *Mr. Miles Irving* suggested that the system might be worked by holding the primary elections annually in villages under quadrennial attestation. I replied that in a district of say 1,000 villages this would mean holding 250 primary elections a year, and these elections would take from 100 to 200 days of a Revenue Officer's working time. It would be necessary to appoint a special officer for the purpose.

31st March 1932.] Messrs. E. M. JENKINS, J. E. KEOUGH & Khan Sahib Shaik FAZAL-I-ELAHI. [*Continued.*

27. *Pandit Nanak Chand* enquired whether women, shop-keepers and others would be returned under the group system. I replied that I did not think that women would be returned unless they voted at the primary elections in separate groups. As to artizans I thought that they also, unless grouped separately, would not be adequately represented in the second electorate. I thought that village feuds would probably increase on the introduction of the group system and that one of the main difficulties would be to ensure that primary elections were conducted by persons generally regarded as quite above suspicion. A Patwari would ordinarily not be so regarded by the public.

28. *Khan Bahadur Shaik Din Muhammad* suggested that as Patwaris prepare electoral rolls at present, they could be trusted without objection to conduct primary elections. I pointed out that a Patwari's present duty is more or less mechanical and that he is not responsible for selecting any voter.

29. *Khan Bahadur Shaik Din Muhammad* further suggested that special staff might be appointed for the initial preparation of the electoral rolls and that subsequently revision might be made automatically. I pointed out that revision would not be easy, as it would have to be carried out every time a man died. To the best of my recollection I suggested that one additional Naib Tahsildar would be required in each Tahsil permanently to set free the staff required for the administration of the group system. I stated that the work would have to be done with the Jamabandi work of each village and that the additional staff would be responsible for the whole of the work including the preparation of rolls and the rural elections.

30. I was asked why if money lenders and Patwaris have so much influence they do not exercise it at present, I pointed out that they do exercise it, but that with a direct electorate personal pressure is less important than it would be under the group system. I suggested that it would be possible under the group system for the Patwari or other influential persons to determine the composition of groups, and, in fact, to make out their own list of secondary voters. I admitted that it might be possible to form groups according to village factions so that each group would be more or less unanimous. I stated that Tahsildars and Naib Tahsildars ordinarily tour for about fifteen days in a month, but added that these officers are doing what was considered to be a whole time job before the modern electorate was created. Even under the present arrangements an enormous amount of extra work is thrown on to the revenue staff at elections, and any additions to this work would be detrimental to the revenue work. I admitted that all revenue paying adults are expected to be present when a Jamabandi is attested.

31. *Rai Bahadur Chaudhri Chholu Ram* suggested that if the group system were adopted universally the persons who are now entitled to a direct vote would lose their present privilege. I replied that in my opinion the group system, if adopted, should be adopted only for the balance of the population not entitled to exercise a direct vote. I admitted that apart from the land revenue there is no direct tax paid to the Provincial Government.

* * * * * *

32. *Khan Bahadur Qureshi Mohammad Hayat* asked if it would be possible to introduce the group system in preference to the direct vote system, if women were to be given broad franchise. I expressed the opinion that the most workable system would be an extended direct electorate. For reasons already stated I regarded the group system as mechanically difficult to work.

33. In reply to a further question I pointed out that if the groups were communal the proportion of votes by communities would be automatically correct.

34. In reply to *Mr. Hans Raj* I repeated that while I did not intend to make any special attack on Patwaris, one of the difficulties in working the group system in a very large number of villages would be that people would have no confidence in the persons on whom the most of the work would fall.

31st March 1932.] Messrs. E. M. JENKINS, J. E. KEOUGH & Khan Sahib Shaik FAZAL-I-ELAHI. [*Concluded.*

In reply to a further question I pointed out that the work of holding primary elections would be by no means negligible, for in a village of any size such an election would take nearly a whole day; that additional staff would be required; and that until there was a great increase in literacy innovations would be far from easy. I expressed the opinion that at present any wholesale increase in the electorate would be inadvisable. I considered that we should make efforts to poll the maximum number of voters in a direct electorate rather than in a group system.

35. *Sardar Buta Singh* asked me whether any alteration in the property qualification would bring in many of the depressed classes, and I replied that my comparison of the Sikh Council Constituency of the Amritsar district with the corresponding portion of the District Board electoral roll, to which I have referred above, showed that the lower District Board qualifications did not bring in many more depressed class voters. I added that this might be due to ignorance on the part of illiterate voters who failed to get their names registered for the District Board, though qualified to do so. I stated that I preferred a combined system of direct and indirect voting to a complete indirect system. I did not think that the group system would be practicable from the administrative point of view even for the balance of the population after eliminating the present direct voters. I admitted that it might be possible to introduce the group system for certain classes, *e.g.*, for the depressed classes.

36. *Mr. M. A. Ghani* asked whether if elections were held in September, there would not be a sufficient number of officers available to work the group system. I pointed out that the number of Sub-Judges set free by the vacation would be relatively small. I added that the numbers vary considerably from district to district, and I did not think that the officers available could conduct the primary elections in a period of one month. I pointed out that if the primary elections were held in an informal manner, their value would be negligible. I stated that I had no information that the group system had succeeded in any other country, and I understood that it had been abandoned in Syria and Palestine.

37. In reply to *Sir Sunder Singh Majithia,* I repeated that if the group system were worked communally, the communal proportion according to population would be automatically maintained.

38. *Dr. Ambedkar* raised the question of tenancy qualifications and other suggestions arising from this were discussed, and all the three witnesses took part in the discussion. It was suggested that the Chaukidara should be made the basis of the franchise. I pointed out that this would not be fair as the amount that a man pays depends largely on chance. For example there may be two villages with about seventy-five houses each, which employ a single Chaukidar. The cess in these villages would be relatively light. In another village with say sixty houses, it may be impossible to double up, and the sixty house owners would have to pay the cost of one Chaukidar. The cess in such a village would be relatively heavy. Thus unless all payers of Chaukidara are brought into the electoral roll, it may happen that the comparatively well-to-do will be excluded in favour of the comparatively poor. In other words, Chaukidara is determined largely by locality and not by status. I added that it would be possible to furnish figures for the number of persons paying Chaukidara in the Punjab, but that this would take time.

39. *Major Milner* enquired whether a wage qualification could be introduced. I said that I thought something of the kind might be tried, but that there would be difficulty in working such a system on a large scale. For example, in the Punjab it is customary to pay wages partly in clothes and partly in food. If there was a wage census, which took into account payment in kind, the difficulty referied to by me would be removed. I promised to go into the question.

(*The Committee adjourned*).

LAHORE.

Dated 5th April, 1932.

PRESENT:

ALL MEMBERS OF THE INDIAN FRANCHISE COMMITTEE EXCEPT SIR ZULFIQAR ALI KHAN, AND ALL MEMBERS OF THE PUNJAB PROVINCIAL FRANCHISE COMMITTEE.

Messrs. JENKINS, KEOUGH and Khan Sahib Shaik FAZAL-I-ELAHI—(*continued*).

40. *Sir John Kerr* asked me whether I thought that under the Committee's plan "A"* the representation of non-agriculturists was *primâ facie* inadequate. I replied that in my opinion it was inadequate. In reply to further questions I stated that I thought that the introduction of a *haisiyat* tax qualification might be the best remedy. The payment of Rs. 50 per annum in Municipal or Cantonment taxation was already a qualification for the Legislative Council vote so that an extension of this principle would be nothing new.

41. *The Chairman* asked me whether the group system could be applied on a household basis. In the first place he wished to know whether in my opinion any woman would be elected as a secondary voter on this basis. I replied that I thought not. It was possible that widows might be chosen, but I thought it more likely that widows living with grown up sons would arrange for one of the sons to be selected. Mr. Keough pointed out that even women Lambardars do not do their own work, and I observed that women were excluded from Lambardaris in the ordinary way unless they owned a whole village.

42. In reply to a further question by *the Chairman* I stated that secondary electors on a household basis would probably amount to between twenty to thirty per cent. of the population and that this would be a larger electorate than that proposed by the Committee or any other body.

43. *The Chairman* then asked whether if the *haisiyat* tax were adopted and proper arrangements for assessment made the present number of *haisiyat* tax payers would be doubled. I stated that in my opinion there was now an enormous amount of evasion. The work of assessment was frequently unsatisfactory and incomplete and I thought that with proper assessment facilities and arrangements the number of assessees might be doubled. I added that the great bulk of the assessees would be non-agriculturists. Agriculturists are indeed assessed to *haisiyat* tax, but not in respect of their income from land. Those of them who have sources of income outside agriculture are assessed on the income derived from those sources, *e.g.*, a man who keeps camels, breeds horses, or keeps poultry, may be assessed to *haisiyat* tax. I considered that a total electorate of 2,300,000 could be managed.

44. In reply to the *Hon'ble Mary Pickford* I stated that few women would come into the roll on the *haisiyat* tax qualification. With regard to polling, I stated that my idea had been, if necessary, to have separate days set apart for women.

45. In reply to further questions I modified my view as it was suggested to me that women might wish to come to the poll with their male relations. I pointed out that so far as I was aware there was no difficulty about the polling of women at the Gurdawara elections.

* *Vide* page 37 of Vol. III.

5th April 1932.] Messrs. JENKINS, KEOUGH & Khan Sahib Shaik FAZAL-I-ELAHI. [*Continued.*

46. In connection with the question of identification, on which Mr. Keough had laid special stress, I pointed out that it was easy to attach too much importance to identification difficulties. In practice if a man came up and described himself as A or B, and A or B had not voted previously, he would probably be given a paper.

47. In reply to a further question I agreed that there would be no difficulty in having joint groups of men and women in a group system, but that I did not think that the women would have much chance of being elected.

48. *Mrs. Subbarayan* suggested that the coloured box system might make matters easier for the illiterate *purdah* women. I replied that so far as I could see the presiding officer must be in a position to see the boxes. Assuming that presiding officers are not to be trusted (and this is at the bottom of all criticism of the present system) if they can see the boxes the utility of the coloured-box system disappears. On the other hand, if speed is the object the colour system sacrifices the secrecy which a literate voter at present enjoys to the speeding up of the voting process for the illiterate. I considered that the advantages of the coloured box system in increasing the speed of polling could be much over-rated, as the average illiterate voter frequently has not the least idea of what is expected of him when he enters the polling booth. Illiteracy makes an election campaign very difficult for the candidates to conduct. Posters are not of very much use and everything has to be explained by word of mouth. Unless it is explained to an illiterate voter that his candidate has a box of a particular colour and unless he has really understood what has been explained to him, he will, as usual, have to consult the presiding officer. I agreed, however, that the coloured box system would probably speed the voting process up to some extent, though perhaps not very much at the first election. I pointed out that in the Punjab very few election meetings are held before elections take place.

49. *Sir Ernest Bennett* asked me whether my opinion was that presiding officers were untrustworthy. I replied that the opinion was not mine, but that it appeared to me that one of the reasons for the precaution proposed was that presiding officers were believed to influence voters. I did not think that there was anything whatever in the belief, and I did not see how the difficulty could be overcome by the use of coloured boxes, as the presiding officers would have to be present in the room when votes were polled.

50. In reply to the same *Member* I stated that poor classes in the Punjab were entirely exempt from all direct taxation, though I knew of some cases in which sweepers and others having quarrelled with their landlords had been assessed to the Chaukidari tax.

51. Mr. Keough and I agreed that grazing taxes are unimportant in all districts and do not exist at all in most districts.

52. I agreed that the making of proper police arrangement was a factor that had to be considered in holding elections. I stated that the police force available was sufficient, but as in some cases people come to vote in large parties and clashes between such parties are likely to occur, it is necessary to have the polling booths near police stations. Apart from this even when the proceedings are perfectly orderly there is at such times a good deal of hustling at polling booths and police arrangements are necessary to control the traffic.

53. In reply to *Mr. Chintamani* I said that the percentage of the depressed classes which would come into the electoral roll on any proportion, *e.g.*, on a ten per cent. basis would be very small.

54. *Sir Mahammad Yakub* referred to the question of family groups by households. I stated that there were two sources of information. The first is the house numbering register which is prepared by Patwaris and others for census purposes

and the preparation of which takes about two months. The second is the register prepared for the assessment of Chaukidara. This is prepared by Patwaris and excludes the houses of persons who are exempted. In Vanicke, the village visited by the Committee, for example, there were thirty-seven exemptees and by taking the Patwari's assessment list and adding these thirty-seven exemptees a complete list could be prepared.

55. The Member suggested that Patwaris might be asked to go round from house to house and ask for the name of the head to be entered on the register of primary voters. I pointed out that the feeling which now exists that it is the duty of the Patwari and other registering authorities to make house to house enquiries for the preparation of the electoral roll, should be discouraged. House to house enquiries with an extended electorate would, in my opinion, be impossible and such enquiries even at present are likely to give rise to abuses. I suggested that the Patwaris should in no case be made responsible for house to house visits, but that a date should be fixed by which each head of a household should be required to name a secondary voter and to have the name recorded by the Patwari. The preliminary record would be posted in the village and after time had been allowed for objections, a final roll of secondary electors would be passed. I agreed that in practice the Patwari might take it upon himself to elect the secondary voters. I expressed the opinion that the Patwari does not frequently visit each house in his village or villages in connection with the Chaukidara assessment. Patwaris did a great deal of work at their own houses and expected villagers to come to them and to give them any information that they required. I considered that machinery could be devised for the composition of the secondary electorate on a household basis, but whether this would be worth doing was another matter. I pointed out that there would be difficulty in dealing with different families as the number in a household may vary (say) from three to ten.

56. The Member suggested that there should be a sliding scale of representatives taking the basis of a family consisting of three members. I pointed out that this would introduce very great difficulties and that the Chaukidara register gives only the name of the head of the household, the family for Chaukidara purposes being the commensal census family. I was definitely of opinion that the household group system could be worked only if a single representative, *e.g.*, the head of the household were taken as the representative. Assuming that the average family is the same in each community, I thought that this system would preserve the communal proportion according to the population of each community.

57. In reply to *Dr. Ambedkar*, I agreed that the depressed classes would not benefit by any lowering of the property qualification and it might be possible to introduce a group system for the depressed classes. I then repeated the suggestion that I had made in a note regarding the possibility of depressed classes elections being conducted by Qanungos. My idea was that a preliminary election might be conducted by Qanungos and that time might then be allowed for objections. Superior officers would be called in only to deal with cases in which objections had been made. I agreed with the Member that this suggestion was not ideal and that the group system was not in any case knave and fool proof. I pointed out that the only real way of working the group system was to make an officer of the standing of a Tahsildar visit each village and conduct the elections. But if this method were to be adopted it would be almost physically impossible to conduct all the elections, and there would be a great risk of a breakdown. I had made an alternative suggestion that a record should be made by villages of the members of the depressed classes, who were believed to be over say thirty-five years of age and that the secondary voters should be chosen from the persons whose names had been recorded by lot. I admitted that this suggestion was not entirely satisfactory, but stated that if it was essential to bring in

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depressed class voters in special or ordinary constituencies, then it would presumably be necessary to adopt some group device, however unsatisfactory it might be. I added that if the household group system were adopted universally the need for other expedients would disappear.

58. The *Member* suggested that each depressed class family might report the name of a representative to the Patwari. I pointed out that this would probably be worse than leaving a primary election to a Qanungo. Finally the Member suggested that members of the depressed classes might be brought on to the electoral roll on payment of a small fee by way of qualification. I replied that the true depressed classes consist of persons who are very badly off and even this expedient would not be of very much use.

59. *Lord Dufferin* enquired whether in the figures given in my note for the maximum number to be allotted to a polling officer I referred to actual voter recording their votes or to persons whose names were borne on the electoral roll. I replied that it was necessary to calculate according to electors. It would be dangerous to go by voters, and I observed that on one occasion in a District Board election I had been caught out by an unexpectedly heavy poll. I had expected sixty per cent. polling and had arranged accordingly. There was actually ninety per cent. polling. My figures were based on the employment of four Patwaris. The witnesses agreed that the figure of 1,800 would have to be considerably reduced, if Council and Assembly elections were simultaneous. For simultaneous elections six Patwaris would be necessary and only about 1,200 Council voters could be polled.

60. In reply to *Khan Bahadur Aziz-ul-Huque* I stated that I thought that ten per cent. of the population could be polled in approximately four days. In reply to a further question, I explained that communal polling would lead to waste of time. Under the present system all Council and Assembly constituencies are polled in a single box for each legislative body at each polling station. The result is that if in a particular area there are 1,500 Council voters of whom say 750 are Muslims and the remainder Sikhs and Hindus, it is possible on the present standard to deal with all these voters in two days. If separate days are allotted to Muslims, Sikhs and Hindus, the same work would take three days, and on the present system of joint polling the maximum polling power is thus used.

61. I stated that in my opinion the presiding officers should be gazetted officers. I admitted that there were a certain number of non-gazetted officers drawing a salary of Rs. 100 and over. I was unable to give their number. In the Amritsar district I stated that there were seventy gazetted officers of whom say thirty could be relied upon to act as presiding officers. One of the witnesses pointed out that in Jhang there are only seven gazetted officers. I agreed that some non-gazetted officers would be fit to act as presiding officers, but added that the only objection to the employment of non-gazetted officers was the popular belief that some of them might have a preference for a particular candidate. I did not think that every non-gazetted officer drawing Rs. 75 to Rs. 175 per mensem could necessarily be entrusted with the duty of presiding at an election. I pointed out that the matter was largely one of executive experience. I added that I had no personal objection to the deputing of non-gazetted officers, the question being largely one of public opinion. I repeated that women would probably not come into the electoral roll under the group system even if the family group system were adopted.

62. With regard to the Chaukidara qualification I again pointed out that as assessments are a matter of locality rather than of status, the qualification proposed would not necessarily be fair. I admitted that all Chaukidara payers could, if necessary, be brought in, but pointed out that by doing so a large number of people, who possess other and better qualifications, would necessarily be excluded. For example, supposing that there is a family which includes two tax-payers or

two land-revenue payers, both of whom are qualified to vote for the Legislative Council, only one member of the family would be given a vote under the Chaukidara qualification. The number would also be excessive if Chaukidara payers were brought in as direct voters.

63. Questions were then asked as to the exemption of Christians from the Chaukidara. These questions were due to a misunderstanding as it happened that in Vanieke, the village visited by the Committee, the Chuhras have to a great extent been converted to Christianity and the actual exemptees there happened to be Christians. I pointed out that Christians as such were not exempted.

64. *Major Milner* discussed the note which I had submitted as regards multiple polling and other matters. I pointed out that I was not really concerned with the provincial aspect of the matter. I stated that the number of voters that could be polled at a simultaneous election would probably not exceed 1,200. I stated that in the Amritsar district I had thirty presiding officers available and that while I could say nothing with regard to the figures for the Province as a whole, I ought, according to my own figures, be able to poll 108,000 in two days and 216,000 in four days.

65. *Major Milner* then proceeded to make certain provincial calculations and the witnesses pointed out that my figures probably did not hold good for remote and unimportant districts where population is sparse, distances are long, and the available staff may be very small. I added that big deductions would have to be made for the backward districts and for simultaneous elections and that I did not consider a fifty per cent. poll, as contemplated by Major Milner, to be possible. I pointed out that I was dealing with a very compact district and I thought that we could not go much beyond a ten per cent. poll.

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66. In reply to a further question, I expressed the opinion that it is undesirable to separate Council and Assembly elections, as an election dislocates the work of many departments very considerably. I pointed out that it is necessary to have polling stations near thanas, as the crowds coming to the polls under an extended franchise would be very considerable and that the proceedings would probably resemble a fair. This would in itself delay voting very considerably. I pointed out that our present arrangements provided for secrecy so far as literate voters were concerned. I admitted that literate voters are not very numerous and that it is probable that the agents of the candidates know how about ninety per cent. of the voters have polled. The *Member* then asked me whether there would be any difficulty in having coloured boxes screened off, so that illiterate voters could place their papers in the boxes without being seen. I pointed out that the presiding officer must be in a position to see the boxes. This is necessary in order to prevent difficulties in the polling stations accounts (*e.g.*, voters may walk off without voting at all and throw out the tally of ballot papers), and also in order to prevent actual mischief.

67. *Diwan Bahadur Ramaswami Mudaliyar* suggested that it would be difficult to arrange the family group system if it were considered necessary to take account of the number of members of each family. With this view I entirely agreed. He then suggested that instead of having a separate roll for the Legislative Council and Assembly, Assembly voters might be marked with an asterisk in the Council roll. The witnesses agreed that this would be possible though the change might not speed up the process of voting very considerably.

68. *Mr. Miller* referred to a passage in my note in which I stated that I would not recommend any attempt at a mammoth poll. I stated that this was my opinion and that I thought that at the first election we should run no risk of a breakdown

of any kind. I observed that we knew what could be done now with our presiding officers, who are drawn from different departments and who are given one day's training. Some of these officers pick up their work very quickly and some do not. It was in my opinion a case of the fastest pace of the slowest horse, and it was necessary to remember that all presiding officers had not equal capacity and executive experience.

69. In reply to the *Hon'ble Mary Pickford* I agreed that simultaneous Assembly and Legislative Council elections are more convenient for the public.

70. In reply to a question by *Sir John Kerr*, I stated that the figure of 1,200 for a joint Assembly-cum-Council polling station should be regarded as a maximum figure. In some districts it was unlikely that this maximum would be reached.

71. *Major Milner* enquired why the number of presiding officers in the United Provinces was greater than that in the Punjab. Having seen the United Provinces list which Major Milner showed me, I pointed out that in the United Provinces persons other than gazetted officers were being used. In reply to a further question I stated that Honorary Magistrates were sometimes used as polling officers. Patwaris, to whom a Member referred, were ministerial officers at the polling stations.

72. In reply to *Rai Bahadur Chaudhri Chhotu Ram* I agreed that on the family basis, *i.e.*, on the basis of one direct voter per family, the voters would amount to about twenty per cent. of the population. I stated that in the village visited by the Committee the Chaukidara assessments vary from As. 7 to Rs. 1-13 per annum. I agreed that on the basis of Chaukidara the qualification for the vote would be very low. The Member enquired whether if the Chaukidara qualification were introduced families would not split up so that more people could obtain the qualification. I said that I could not give a useful reply to this question. I believed that if the Chaukidara qualification were adopted other and better qualifications would probably have to be abolished.

73. In reply to a question by *Khan Bahadur Qureshi Mohammad Hayat*, I said that I had no experience of the working of a cart tax.

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74. In reply to *Pandit Nanak Chand*, I stated that in my opinion the *haisiyat* tax qualification, if there were no evasions, might bring in 250,000 voters. I stated that in the Amritsar district out of 5,839 *haisayat* tax payers approximately 677 were agriculturists. I agreed with the Member that it would save a good deal of trouble if the District Board *haisiyat* tax were taken over as a provincial tax—the proceeds being reallotted to District Boards. I agreed with the Member that of the persons voting on military qualifications a vast majority belong to agricultural tribes. The Member suggested that there might be a Civil Service qualification, and I stated that I saw no objection to this, though the number of persons who would benefit would be small.

75. In reply to *Mrs. Chatterjee*, I stated that the mixed group in the group system would not be impossible to work, but that if men and women voted together at the primary stage, men would be more successful than the women, *i.e.*, comparatively few women would enter the roll as secondary voters.

Memorandum submitted by the DAYANAND DALIT UDDHAR MANDAL (PUNJAB), Hoshiarpur.

The Dayanand Dalit Uddhar Mandal (Punjab), Hoshiarpur, stands for:—

(*a*) Joint electorates, with no reservation of seats, and weightage for any community.

(*b*) Residuary powers to rest at the centre.

Memorandum by the DAYANAND DALIT UDDHAR MANDAL (Punjab), Hoshiarpur. [*Continued.*

(*c*) Adult suffrage.

The Mandal wants to wipe out communalism which is antagonistic to nationalism and democracy.

The question of the safeguards for minorities in the coming constitution can be easily solved by adopting the decision of the League of Nations on the vexed question of minority protection. Both England and India have been signatories to that Treaty. The Premier Moslem State of Turkey is also a signatory to it. A sort of international law has been laid down by the co-operation of the big powers of the world, and enforced in various countries. In the light of the League of Nation's decision there can be no question of protection of minorities by means of separate electorates, and reserved, or weighted representation in legislature. Such a procedure is destructive of democracy, and can hardly be found in any civilized country. It will mean a form of communal government and the worst form of despotism, which India does not stand in need of. It will clearly be no reform, but retrogression, and a violent set-back in political evolution.

The Premier severely condemned it in his historic speech in January 1931 in the House of Commons on the first Indian Round Table Conference. Separate representations, besides being a negative of responsible government, will intensify communal complications and differences. Protection of minorities in joint electorates must follow the lines laid down in the minorities guarantee treaty of the League of Nations, which has worked successfully in the various States of Europe and satisfied such militant minorities as the Germans and Poles, Turks and Greeks.

According to this Treaty :—

(*a*) Minorities cannot be recognised unless they form "a considerable proportion of the population," at least 20 per cent.

(*b*) Minorities cannot be recognised to have any differences between them except racial, religious and linguistic differences. Mere (*sic*) these three classes of differences, and the separate interests arising therefrom, are to be fully protected by statutory safeguards. They need not be protected by separate electorate and representation. According to these safeguards Moslems can claim separate education in their own mother tongue ; and so can the Hindus and Sikhs. In this scheme the legislature is not empowered to change the special laws and customs expressing the racial individuality and characteristics of a community, without the consent of that community to be ascertained by special constitutional procedure prescribed for the purpose.

(*c*) In all matters and interests, unconnected with race, religion, or language, there can be no difference between communities and it is such matters and interests alone,—the common ground of all communities—which are dealt with by legislature and administration. Therefore, there is no place in the legislature for the separate representation of religious communities, whose religious and other separate interests are protected by other ways. The legislature is a parliament of citizens and not a parliament of religions. This device will exercise the communal evil from the legislature. Mr. Arthur Henderson presiding at the League Council meeting in January last year, authoritatively declared that "the scheme of minority protection inaugurated by the League of Nations was now a part of the public law of Europe and of the world." It is to be hoped that India will stick to this public law in the creation of which she had a hand as an original member of the League of Nations.

The Prime Minister in his letter to Lord Lothian, President, Franchise Committee, has issued instructions that his Committee should, in the absence of the settlement of the Communal problem, conduct enquiries and frame their recommendations on the supposition that in the new

Memorandum by the DAYANAND DALIT UDDHAR MANDAL (Punjab), Hoshiarpur. [*Continued.*

constitution separate electorates will remain in force. This decision of the Prime Minister in anticipation of the enquiry, and the consequent report, the Mandal views with great alarm, as it will minimise the chances of joint electorates being introduced in the new constitution, and the effectual settlement of the communal problem.

The Franchise Committee has accordingly issued a questionnaire, which contains the following paragraph as regards Representation of the Depressed Classes. "It is evident from the discussions in the Round Table Conference, that it is generally felt that provision should be made in the new constitution for better representation of the Depressed Classes, and that the method of representation by nomination is no longer regarded as appropriate. Do you consider that the Depressed Classes are likely, through such general extension of the Franchise as you favour, to secure representatives of their own choice in the general electorates, and if so, to what extent? If your answer is in the negative, what specific proposals would you make to secure their representation in Legislatures. The possible application of the group system of representation to the Depressed Classes should be specially considered."

The Mandal views with disfavour the efforts made by Dr. Ambedkar, and other parties in England in creating the 'Minorities Settlements', thus securing the representation of the depressed classes to the Legislatures by separate electorates.

The Mandal considers separate electorates for the Depressed Classes as highly suicidal to their ultimate interests. The dangerous results likely to accrue from this device may briefly be enumerated as below :—

(1) *Perpetuation of Untouchability.*—At present the Arya Samaj and other Hindu reforming bodies are exerting their utmost to do away with the evil of untouchability, and absorb and assimilate them gradually in Hinduism. Separate representation will condemn them to remain 'Untouchables' for ever or for as long a period as the evil system will remain in force.

(2) There is a likelihood of a civil war of the severe type between the Untouchables and the Hindus, raging in villages, due to the ignorance and revengeful spirit of the high castes, who will lose all sympathy with these classes, when they will openly attempt to weaken Hinduism, by cutting off their connections with it, and seeking separate representation. The case of the Sikhs may be cited as an instance. This internecine quarrel will be more harmful to the Depressed Classes, and make their life miserable.

(3) Special representation may grant them political rights, but not social and religious ones. The latter can be secured only if they win the sympathy of the Hindus. The real difficulty of the depressed classes will not be solved by merely safeguarding their political rights.

(4) The fissiparous tendencies pre-existing in the various communities of these classes will receive an impetus from separate representation, with the consequent disintegration and weakening of these classes, by each community trying to send its own representative.

(5) The expenditure which election will entail when different claimants and competitors from various sects and sub-sects will stand, will further cripple the poor finances of these people.

(6) 'Ineffectives' in the words of Sir John Simon being returned by these classes, being inferior in experience, political training, learning, and education, will be likely to be bought by the powerful agencies, and thus their votes instead of being exercised for the good of the depressed classes may sometimes go against the interests of the community they represent. They shall not be able to safeguard the

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interest of their community so effectively, or better than if they return others than the depressed classes as their representatives in joint electorates with the Hindus.

(7) Being politically and socially cut off from Hinduism, their parent-stock, they will more easily and likely fall into the clutches of Islam and Christianity, whose powerful organisations and political influence in the absence of the support of the Hindus, will not allow these classes, to remain as depressed. They will be in course of time absorbed in Islam and Christianity, a thing least aimed at by them. Their struggle for political emancipation will deprive them of their religion—an unfathomable loss.

The Mandal, therefore, will like to resist to the best of its power the introduction of the system of separate representation for these classes which will prove highly suicidal to their real interest, and will retard the work of their reformation, and their amelioration started by the Arya Samaj, and other agencies.

The Mandal agrees with the remarks made by Simon Commission in paragraph 79 of Volume II, which are reproduced here *in extenso*. " Our object, therefore, is to make a beginning which will bring the depressed classes within the circle of elected representation. How is this to be done ? Most of the depressed classes associations which appeared before us favoured electorates, with seats allotted on the basis of population, though one or two still wished to retain nomination. Separate electorates would no doubt be the safest method of securing the return of an adequate number of persons who enjoy the confidence of the depressed classes, but we are averse from stereotyping the differences between the depressed classes and the remainder of the Hindus by such a step, which we consider would introduce a new and serious bar to their ultimate political amalgamation with others. Such a course would be all the more difficult to justify in those provinces where the breaking down of barriers has advanced furthest. If separate electorates have to be maintained for certain classes which have already secured them, that is no reason for bringing other classes within this mode of treatment, if it can be avoided. A separate electorate for depressed classes means, as a preliminary, a precise definition of all who are covered by the term, and the boundary would be in some cases difficult to draw. It means stigmatising each individual voter in the list, and militates against the process which is already beginning, and which needs to be in every way encouraged—that of helping those who are depressed to rise in the social and economic scale."

In another part of the report, the Simon Commission recommending reservation of seats for depressed classes, remarks :—

" Our proposal, therefore, is that in all the eight provinces there should be some reservation of seats for the depressed classes, these seats would, of course, be reserved in non-Muhammadan constituencies. This method will entail a definition of the conditions to be fulfilled by a depressed class candidate, but there will be no differentiation between depressed class voters and other non-Muhammadan voters. There are associations representing the depressed classes in, at any rate, some of the provinces, and we think that rules might be made providing that the Governor, after consultation with such associations or otherwise, as he thinks best, should certify which candidates are authorised to stand for the depressed classes seats. Anxieties are expressed in some quarters that, at first, sufficient candidates may not be found in the ranks of the depressed classes themselves, qualified by education and experience to represent them in the provincial legislatures. If this difficulty does occur, we believe it will only be temporary ; and to guard against it, we would confer upon the Governor the further power, provided he is satisfied that this is really the case, of authorising persons, whether

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men or women, who are not themselves members of the depressed classes but who have shown interest in their welfare, to be amongst the approved candidates, or alternatively, of nominating them for certain of the reserved seats. But since the difficulty to be overcome is in any case likely to pass away, this further power in the Governor should exist for only ten years and only in respect of half the reserved seats at a maximum. As we have already said, this method of reserving seats for depressed class representatives avoids a further difficulty which must arise if a separate electorate were constituted. For a separate electorate necessarily means that each voter, before he is put on the list, is ascertained to be a member of the depressed classes, in view of the vagueness of the term and the differences which exist in different places, this would involve in some cases a troublesome investigation. Moreover, we believe that it is in the interests of the depressed classes themselves to avoid so absolute a segregation.

"The result of our scheme would be that spokesmen of the depressed classes would be returned as elected members in each of the provinces and those whom they represent would no longer have to rely merely on nomination. On the other hand, the representatives would be the choice of non-Muhammadan electorates as a whole, and opportunity would be given for co-operation, while at the same time a strong impetus would be afforded to the more adequate consideration of depressed class problems.

"We propose that, when definitions are settled and the correct totals ascertained, the number of seats to be reserved for depressed classes candidates in the non-Muhammadan constituencies should be settled on the following principle. The proportion of the number of such reserved seats to the total number of seats in all the Indian general constituencies should be three-quarters of the population of the depressed classes population to the total population of the electoral area of the province."

It will be seen, therefore, that we do not recommend allocating seats to the depressed classes on the basis of their full population ratio. The scale of reserved representation suggested will secure a substantial increase in the number of M. L. Cs. drawn from the depressed classes. The poverty and want of education which so widely prevail amongst them make it extremely doubtful whether a larger number of adequately equipped members could be at once provided, and it is far better that they should be represented by qualified spokesmen rather than by a larger number of ineffectives who are only too likely to be subservient to higher castes. In our province there are only 399,307 persons who though belonging to the depressed classes have returned themselves in the census not as Hindus but 'Ad-Dharmis'. This community is 1·7 per cent. of the total population of the Province, and even if it seeks separate representation, is in too microscopic a minority to claim any special privileges or separate representation. Their numbers can hardly suffice to make even a single constituency. These numbers are not reliable, for most of the people were returned by the Census enumerators as 'Ad-Dharmis', at some places through their ignorance, and at others in flagrant violation of their wishes. This movement is confined only to a small section of the Chamars, one of the various communities comprising the depressed classes. The Balmikies, Doms, Kabirpanthies, Meghs, Batwals, Sarehras, Ghais, Ratals, and even most of the Chamars look upon this movement as engineered by self-interested persons and agencies, and highly suicidal to their interests.

This movement is fast dying, and will cease to work within a short while to its anti-national propaganda, and absence of selfless leaders and organisation The movement deserves no notice by the Committee.

The Mandal, therefore, stands for :—

(1) Joint electorates for all.
(2) Adult Franchise.

Memorandum by the DAYANAND DALIT UDDHAR MANDAL (Punjab), Hoshiarpur. [*Concluded.*

In the absence of joint electorates for all, if the British Government intends retaining separate electorates for the Muslims and the Sikhs, the Mandal is strongly of the view, that separate electorates should not be constituted for the depressed classes, but seats be reserved for them up to 66 per cent. of the seats they are entitled to on their population ratio, in the non-Muhammadan constituencies with right to contest for more seats in general non-Muhammadan constituencies. The spokesmen of these classes not belonging to the depressed classes, may be allowed to stand, so that they may better safeguard their interests in the Legislatures as remarked by the Simon Commission. As regards the qualifications of these spokesmen the Mandal opines, that they would be members of some registered association working for the uplift of the depressed classes.

The Mandal is further of opinion that the power vested by the Simon Commission in the Governor for the certification of such candidates should vest in the association, which should support their candidature by a Resolution in a special meeting of the executive committee, carried by a majority of ⅔rds of its total strength. Such a right should be extended in the Punjab to the following associations :—

(1) Dayanand Dalit Uddhar Mandal (Punjab), Hoshiarpur.
(2) Dayanand Dalit Oddhar Mandal (Punjab), Lahore.
(3) Megh Udhar Sabha, Sialkot.
(4) Araya Swarajaya Sabha, Lahore.
(5) Sanatan Dharam Antyaja Udhar Sabha, Lahore.
(6) Shardhanand Dalit Udhar Sabha, Delhi.

Our Mandal favours this system of reservation of seats for the depressed classes for ten years only during the period of transition. After the expiry of ten years, there should be no reservation for the depressed classes ; they will gain strength, experience and education to compete and stand their chance in general non-Muhammadan constituencies as the depressed classes of Bengal are doing at present. " In Bengal there are tracts in which there is a compact population of the depressed classes, and they secured election without separate representation. In the Bengal Council more than ten members out of the forty-six Hindus returned from Bengal constituencies belong to the depressed classes " (*vide* Raja Narindara Nath's note on the Minorities settlement in England). The Mandal is against the application of the group system of representation to the depressed classes, as the number of their voters is not likely to be unwieldy, and the system will not give them the necessary political education as direct election will. If the principle of adult suffrage be accepted, no question of lowering the franchise for the depressed classes arises. In case adult suffrage be considered to be impracticable, the Mandal does not recommend the lowering of the franchise for the depressed classes or any other community. It stands for a uniform franchise. To increase the number of voters and extend franchise, the Mandal would like to recommend :—

(1) Property qualification, the possession of a house worth Rs. 1,000.
(2) All persons paying income-tax or *Haisyat* tax.
(3) Educational qualification of having passed the Primary School Examination.
(4) Wage earning capacity :—Rs. 10 per mensem for urban and Rs. 5 per mensem rural areas.
(5) Married men and women over 25 years of age.
(6) Those who pay land revenue to the extent of Rs. 10 per annum.
(7) Those who pay house rent up to Rs. 4 per mensem.

Note :—With reference to those portions of the above memorandum which relate to separate and joint electorates, please see the Chairman's remarks on the following page.

LAHORE.
Dated 1st April, 1932.

PRESENT.

ALL MEMBERS OF THE INDIAN FRANCHISE COMMITTEE, EXCEPT SIR ZULFIQAR ALI KHAN AND MR. E. MILLER AND ALL MEMBERS OF THE PUNJAB PROVINCIAL FRANCHISE COMMITTEE.

Lala RAM DAS, B.A., B.T.,
Swami SHUDRA NATH, } **Representing the Dayanand Dalit**
Pandit GURU DUTT, .. } **Uddhar Mandal (Punjab), Hoshiarpur.**

1. *The Chairman :* You represent the Dayanand Dalit Uddhar Mandal ?—Yes.

2. First of all tell me exactly what that association is ?—It is an Association working in the Arya Samaj. It is a provincial body with headquarters at Hoshiarpur.

In the memorandum you have submitted to us the greater part is taken up with the question of separate and joint electorates with which this Committee is not concerned.

Sir Muhammad Yakub : According to your Lordship's dictum this portion of the evidence ought not to form part of the record.

The Chairman : It is difficult to erase everything. It may remain on paper but it will not form part of the record.

3. Can you tell me what definition, if any, you give to what are generally described as the depressed classes ?—There are certain classes which suffer from more economic depression and they are also not admitted to political rights ; they form the depressed classes.

4. Are there any such classes in this province which are elsewhere known as untouchables ?—They are such classes as have unclean and filthy professions. Sweepers and those that eat dead cattle are in such classes. They are untouchables.

5. Is it characteristic of the Hindu social life in India that these people pollute by touch or approach ?—Approach does not apply here but touch does. Sweepers and Chamars who drag dead cattle and eat them are untouchables.

6. Have you formed any estimate of their numbers ?—They do not make a very large number.

7. Let us assume that property qualification is adopted, but a much lower one. Would a large proportion of the castes known as untouchables get on to the electoral roll ?—Very little, or they may not get any.

8. How then would you propose that they should get some representation in the legislature because it is part of our instructions to consider that point ?—We have suggested certain qualifications in our memorandum. They would bring in about 7 or 8 per cent. of the population,—sweepers and such people with filthy professions.

9. An estimate has been made of the number of depressed classes in this province and those who are untouchables and the figure given is 1,310,000. Do you agree ?—Yes.

10. *Mr. Chintamani :* What is the number who are born under the caste on account of which they are treated as untouchables ?—They would be in the neighbourhood of a lakh or so.

1st April 1932.] Lala RAM DAS, Swami SHUDRA NATH & Pandit GURU DUTT. [*Continued.*

11. Have you any idea as to the test applied for determining whether a caste is under the depressed classes or not ?—The test is whether a person's touch would pollute cooked food and a glass of water.

12. Leaving aside the question of untouchability, is it the test of depression that they are educationally and economically so backward that special measures will be required for their uplift ?—Most certainly.

13. From this point of view are there in the Punjab a large number of people not belonging to the so-called untouchable class who are still economically backward ?—Yes.

14. And when you come to the question of representation in Council do members of the so-called higher castes who are economically very backward stand in the same position in which the lower castes stand ?—Individually they may.

15. I don't mean individually but as a class. The higher castes are no better off than the lower castes so far as representation in the councils is concerned ?—The higher castes look after the interests of their own because they are all closely related.

16. Leaving untouchability aside, do you think that any special measures are required in order to secure representation for the backward classes among the lower classes in the Legislative Assembly ?—Yes.

17. Do you suggest that those special measures should take the form of a lower franchise qualification for the backward classes among the lower caste or do you suggest reservation of seats, or do you suggest both ?—I am for the reservation of seats and the lowering of the qualifications for the franchise.

18. When you have spoken of untouchability and of the backward classes commonly called the depressed classes but not untouchables, you have spoken with many years' experience among the classes, and you ask us to accept your statement on the knowledge you have acquired ?—Yes.

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19. *Major Milner :* You propose a wage earning qualification ?—Yes.

20. Rs. 10 a month ?—Rs. 10 in urban and Rs. 5 in rural areas.

21. Do you anticipate any difficulty in working that proposed qualification ?—No.

22. How would you suggest it being done ? How would the Governmet ascertain those who come within this category ?—The Patwari of the village can very well tell whether a man can be brought in or not.

23. Take your own case. You are employed regularly and permanently. Once on the roll you can be kept on without any difficulty ?—Yes.

24. Have you any idea, however approximate, of the numbers which your proposal would enfranchise if that was given effect to ?—I think more than 10 per cent. would be enfranchised.

25. I am speaking of this particular qualification of a wage-earner ?—It would enfranchise more than 10 per cent.

26. That qualification alone ?—Yes.

27. And the other qualifications added together about 10 per cent. ?—More than 10 per cent. About 12 or so, because there is the primary pass qualification also.

28. What about women wage-earners ? What limit do you suggest ? You suggest Rs. 10 in the case of men. What about women ? What sort of wages do they earn in rural and urban areas ?—Women would be earning less than that.

29. What figure would you suggest ?—Rs. 3 for rural and Rs. 6 in the towns.

30. Are there many women workers who would come under those categories ?—A great many.

1st April 1932.] Lala RAM DAS, Swami SHUDRA NATH & Pandit GURU DUTT. [*Continued*

31. Could you give us any idea of the number ?—I can tell you of my own district. About 6 per cent. might be brought.

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32. Would they be as intelligent and as able to exercise the vote as those women who have a little bit of land or pay some tax ?—By experience they would learn.

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33. *Khan Bahadur Aziz-ul-Huque :* Are you in favour of giving some special representation to the Depressed Classes ?—Yes. Their interests cannot be so well safeguarded otherwise.

34. By the general member of the Hindu constituency ?—Yes.

35. Is it possible for us to get figures from you as to who the depressed classes are, so far as your estimate is concerned ?—That means I should name the communities. For instance, there are Balmikis, Doms, Kabirpanthies, etc. It is the list of depressed classes and not of untouchables.

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36. Will you give us a list of untouchables ?—Sweepers and such of the Chamars who drag dead animals and sometimes eat their flesh also.

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37. Do you consider the Rahtiyas, Ods, Meghs and Doms as untouchable ?—Compared with the Chamars and Sweepers they are less untouchable. There are grades of untouchability.

38. Would you classify them as untouchable or depressed ?—Depressed, not untouchable.

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39. *Mr. Butler :* I just want to ask one or two questions about this wage-earning qualification. Have you taken into account the wages paid in kind ?—Not wages in kind.

40. Would it be fair that just because they get their wages in kind they should be deprived of the vote while those that get their wages in cash should be given the vote ?—Generally they get in cash.

41. What about those who get in kind ?—There is a small proportion of them. It is only at the time of the harvest that they get their wages in kind. At other times of the year when they go for work, they get their wages in coin.

42. Have you made any provision for wages in kind ?—No.

43. With the exception of the people who get their wages in kind, these proposals of yours practically amount to adult suffrage ?—Yes.

44. You exclude men between 21 and 25 whose number will not be very much ?—Yes.

45. You think that it would be administratively practicable at the present time ?—If measures are taken.

46. Do you think it will be possible to introduce adult suffrage above 25 ?—If measures are taken to hold elections.

47. This is your considered opinion ?—Yes.

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48. One other question. Do you agree that the best way for getting a vote for yourself and your two colleagues would be under the educational qualification ? —All are not educated.

49. I am referring to your own cases as they have been brought up before. I think, the best way for you would be to come under the educational qualification ? —Yes.

50. And the people of your standing ?—Yes.

51. So, your case and the cases of many others would be met if an educational qualification was introduced ?—It would not meet many cases.

52. I am talking of those of your standing ?—But people of this standing are very few.

53. It would bring certain classes which might be omitted otherwise ?—(The witness did not reply.)

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54. *Dr. Ambedkar :* I understood you to say that in this province the system of untouchability is somewhat different from the system of untouchability in othe provinces ?—Yes.

55. So long as a person belonging to the untouchable community carries on what may be called an unclean profession he is an untouchable, but the moment he leaves that unclean profession he becomes a touchable. Is that correct ?—More or less correct.

56. Take, for instance, the position of an individual Chamar who, you say, does the dirty professional work in the village. We were told that there are many Chamars who instead of doing that work are agriculturists and tenants. Is it your opinion, or do you want the Committee to understand, that such Chamars who have given up unclean work and have taken to farming have been allowed the social amenities which they were denied so long as they were carrying on the unclean profession ?—Some amenities were allowed. Not all.

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57. Is not one of the features of the Hindu social system this, that the worth of the man governs his status ?—Yes.

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58. And that an individual so far as his social relations are concerned sinks or swims with the community as such. Politically he may rise. He may become a Tehsildar or a Deputy Commissioner, but so far as the general social treatment that is accorded to him is concerned it does not materially differ from the orthodox point of view ?—From the orthodox point of view it does not differ.

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59. I am reading one or two extracts from your report which has been published in 1927. It is in English. It is the second Annual Report of your Mandal. There is this statement. I want to get it confirmed. Under the heading 'Sinking of Wells'.

> "Scarcity of water is one of the hardships these people are put to. The high caste Hindus do not allow these people to fetch water from their wells. They have often to employ Hindu water-carriers on very high wages, and in their absence, they engage Muhammadan watermen, though very reluctantly. Where no such agency is available, these people take water from ponds, stagnant pools, and rivulets which in the hot days of summer are dried up, and whatever little of water is left in them is full of innumerable animalcules, and serves as a nidus for germs : and these people have no other recourse left open to them but use this undrinkable water, in which, animals squat for hours, and throw their urine and dung. One shudders at the idea of the Hindus being so stone-hearted and callous as not to allow these people to take water from their wells because these people are Hindus. The moment they embrace Islam and Christianity all the wells of the Hindus are thrown open to them."

This is the statement made in your Report for the year 1927 ?—In the case of some classes it is true.

1st April 1932.] Lala RAM DAS, Swami SHUDRA NATH & Pandit GURU DUTT. [*Continued.*

60. This represents a correct state of things ?—Yes.

61. Then there is another statement about medicines.

"It is often seen, that these classes pay the heaviest death toll to epidemics, like cholera, plague and malarial fever. They generally live in places where no medical aid is easily available. Their poverty and the apathy and hatred of the Hindus towards them also stand in the way of their receiving adequate medical relief."

That is right.

62. You know what is called the 'Pahari' part of the Punjab. Am I right in saying—that is the information that has been given to me—that in the 'Pahari' district depressed classes are not allowed to use music on their marriage occasions, they cannot go in palanquins, they cannot dress properly because all these things are taken to be an affront to the dignity of the higher classes ?—There are such cases.

63. Is it a fact that a depressed class man in the districts cannot sit on a *charpoi* when a high caste man is passing ?—That is in very backward areas.

64. That sentiment is there ?—In the most backward areas that sentiment is still there. When a landlord comes he does not allow his tenant if he is a depressed class man to sit on a *charpoi*. This respect is not shown to anybody except one's own landlord.

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65. There was one interesting definite assertion made by you that, although you were in favour of special representation being granted to depressed classes, it should be only for a transition period ?—Yes, because by that time untouchability or other things would completely disappear.

66. Can you give us your idea of what the term of transition should be ?—Ten years.

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67. I heard you say that you object to a differential franchise for the depressed classes ?—Yes. Because that would make untouchability a permanent thing in India.

68. I am talking about differential franchise qualifications ?—If the policy of the Government is that there should be differential franchise for other people also, then I have no objection to the depressed classes getting differential franchise likewise.

69. If such a differential qualification alone would give some advantage to the depressed classes which, otherwise, by being given a uniform franchise, they may not derive, will you have any objection ?—I will still object because, at least in them, it will create a feeling that they continue to be called depressed.

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70. Which one is Swami Shudra Nath ?—The gentleman to my left. He says that there is no such caste or community called untouchable. There are depressed classes among Muhammadans and Christians also. Among Sikhs also there are depressed classes.

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71. He says that in his opinion 'untouchable' is not a caste. It is not even a religion. The British Government was not in their favour. They are economically backward and the Government have not paid special attention to their needs. They are of the same blood and of the same caste as the four big castes, Brahmanas, Kshatriyas, Vaisyas and Sudras. He says further that he has no objection to members of non-depressed classes representing the depressed classes.

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1st April 1932.] Lala RAM DAS, Swami SHUDRA NATH & Pandit GURU DUTT. [*Continued.*

72. He says that the depressed classes suffered a great deal on account of economic poverty and that the richer classes oppress them and harass them. Therefore he wants representation according to population. He does not mind if those who are working for their uplift represent them in the legislatures. They do not want sympathisers from non-Hindus. There may be sympathisers among Muhammadans and Christians, but they do not want that they should be represented by them. They want their representatives from Hindu sympathisers only.

73. The representative of the depressed classes stated that he would like to be represented by men from higher castes who really felt for the uplift of the depressed classes but not by members of the depressed classes themselves because they were poor and could be won over. If they were to be represented by the depressed classes themselves, it was possible that such representatives instead of representing their interests in the council would act according to the wishes of others and be influenced by them.

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74. *Sir Sunder Singh Majithia :* You have not been able to give a very clear definition of the 'depressed classes'; but if I were to read to you this definition that the depressed classes are those classes within the Hindu fold who are untouchable by orthodox Hindus, would you accept it ?—No. There are grades of untouchables. Untouchability permeates the whole Hindu social polity.

75. Do you know that depressed classes include Massirs also ?—Yes.

76. Are they taken as recruits to the army ?—They are.

77. In the army they rise in rank and become Subedars ?—Yes, but they hold these posts in their own regiments only. There are mixed regiments now.

78. Amongst the Chamars there are also those who make shoes ?—Yes.

79. According to your definition these two classes of Chamars are different from each other ?—Yes.

80. As regards marriages, do you think that inter-class marriages do take place among them ?—No.

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81. In the list that has been given to us, there is a larger number of these people shown as depressed classes ?—It includes Chamars and Chudas, I think.

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82. *Pandit Nanak Chand :* You are the Principal of a College which teaches up to F. A. ?—Yes.

83. How many students are there ?—There are 340, and in the school there are about 400.

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84. Is any distinction made between the so-called untouchables and the so-called higher castes ?—In our institutions no such distinction is made.

85. They eat at the same table ?—Yes, in social gatherings no distinction is made.

86. You are also a member of the organization called the Educational Committee ?—Yes.

87. How many high schools are connected with it ?—6 or 7 high schools, 13 middle schools and some primary schools.

88. In those high schools, middle schools and primary schools, there are high caste and low caste boys and touchable and untouchable boys ?—Yes.

89. Is any distinction made with regard to them ?—No distinction is made.

1st April 1932.] Lala RAM DAS, Swami SHUDRA NATH & Pandit GURU DUTT. [*Concluded.*

90. Orthodox people are also there ?—So long as they are in the school atmosphere there is no distinction.

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91. How can untouchability or depressedness be removed ? May I suggest to you that if these people are permitted to purchase lands and house-sites in villages, there would be no untouchability left ?—If it is done, untouchability will vanish in ten years. If they were allowed to purchase lands in villages and build houses of their own, then untouchability would be a thing of the past in a few years.

92. Along with the so-called depressed classes there are high caste Hindus and high caste Muhammadans and high caste Sikhs who, under the law, are not permitted to purchase lands ?—They are not permitted to purchase lands.

93. Now you spoke of music being stopped by some landlord. Do you know, as a matter of fact, that certain high caste Hindus are not permitted to play music before their landlords ?—Yes. A certain case is now going on about the playing of music.

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94. *Pandit Nanak Chand :* The Depressed or backward classes not acquiring property is due to the Punjab Land Alienation Act ?—Most certainly.

95. And it is also due to certain customary laws ?—Yes.

96. Property qualification then, according to your way of thinking, would be a disqualification for bringing these men on to the electoral roll ?—Yes. If it is only the property qualification, they would hardly be brought on the roll.

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97. One word in regard to these qualifications which you have given. You fix the primary school examination as the literary qualification. Will it not bring in a large number of the depressed classes and other castes as voters ?—It will bring in some ; not a very large number.

98. Will not wage-earning capacity bring in a large number ?—It will also bring in a good number. It will bring in a larger number than the educational qualification.

99. Will the payment of the *Hasiyat* tax bring in a large number ?—It is a tax levied by the district boards on professions. It will bring in a good number but not a large number.

100. The possession of a house worth Rs. 1,000 ?—This will bring in very few.

101. Supposing these suggestions of yours are adopted, do you think that the non-propertied among the depressed classes will be fairly represented on the electoral rolls ?—I think they would be.

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Memorandum submitted by the DAYANAND DALIT ODDHAR SABHA, Lahore.

The Dayanand Dalit Oddhar Sabha, Lahore, is a department of the Arya Pratinidhi Sabha, Punjab, Lahore, which is the representative body of more than five hundred Arya Samajes in the Punjab, North-West Frontier Province, Baluchistan, Jammu-Kashmir, and other Punjab States.

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The Dayanand Dalit Oddhar Sabha stands for :—

(1) Joint Electorate, and

(2) Adult Suffrage.

Memorandum by the DAYANAND DALIT ODDHAR SABHA, Lahore. [*Continued.*

The condition of the Depressed Classes in the Punjab.

The case of the depressed classes in the Punjab is essentially different from that of the depressed classes in other provinces of India. Owing to the efforts of the Arya Samaj and other reforming Hindu bodies social untouchability has been removed. Besides, the people belonging to the so-called "Untouchable Class", who have taken to agriculture as their profession are free from the curse of untouchability. Only such people who are actually engaged in filthy professions such as Bhangis and others who eat dead bodies of animals are treated as untouchables. Such untouchables are to be found even among the Sikhs, the Christians, and the Muhammadans. It is worthy of note that the number of such people is fast decreasing and they are adopting clean habits and sanitary way of living. The majority of the Bhangis and Chamars have taken to agriculture. But even in the case of those who are actually engaged in cleaning filth, the gulf between them and the higher classes is not at present as it used to be.

In our province there are no legal disabilities on the so-called untouchable classes with regard to the use of public roads, water-taps and public wells, etc. Though there are Hindus who still obstruct these people in the use of wells in rural areas, in clear violation of the law of the land—happily their number is fast decreasing—the so-called untouchables freely mix with other Hindus in railways, public fairs, and religious meetings. Thousands of them have given up their old castes and got themselves registered as Aryas in the Census of 1931. Even the Sanatan Dharm Pratinidhi Sabha, Punjab, the representative body of the Orthodox Hindus is actually engaged in preaching the removal of whatever untouchability there may be amongst the Hindus. The people who still suffer from the prejudice of untouchability are only a microscopic minority. In short social untouchability is fast disappearing in the land of five rivers and is a thing of the past.

But the so-called "Untouchables" are economically as depressed to-day as they were before. During all these years of reform, very few of these people have risen economically to be able to stand shoulder to shoulder with their brethren of the so-called higher castes. Land Alienation Act has proved to be a formidable barrier in the way of economic progress of these people. Both the Government and the public bodies have so far failed to find out a solution of their economic backwardness, Government because they have not devoted their attention to this question and people because their resources are scanty.

Enfranchisement of the Depressed Classes.

In the opinion of this Sabha the utter economic depression of the depressed classes makes the enfranchisement of these classes on the basis of property an impossibility. The only other course is adult suffrage. But if adult suffrage be found impracticable at the present stage, the group system may be tried, every person of 21 years or above being entitled to vote in the primary group. The primary groups should be as small in number as possible in order to bring a fairly large number of voters in the secondary group so that the actual electors would bear the same proportion to the actual population of these classes as the electors of other classes to their actual population.

If this system were adopted for extension of franchise, this Sabha is of opinion that the depressed classes would be able to secure in the rural constituencies representation of their own choice in general electorate and to an extent which would bear a substantial proportion to their population provided that the number of seats in the Provincial Legislature were enlarged to at least the double of its present strength.

But if there be any apprehension that the depressed classes would not be able to secure a reasonable representation by this method of common electorate, this Sabha would welcome as the next best alternative joint electorate in the common

Memorandum by the DAYANAND DALIT ODDHAR SABHA, Lahore. [*Concluded.*

Hindu roll with reservation of seats on population basis ratio. But with a view to avoid the return of "ineffectives" (using the language of the Simon Commission) and to secure the return of an adequate number of persons enjoying the confidence of the depressed classes and who are capable of exercising their vote for the good of those classes the Sabha suggests that the representation by "qualified spokesmen", not belonging to depressed classes should temporarily be allowed. As regards the qualifications of these spokesmen the Sabha opines, that they should be members of some registered Association of three years' standing working for the uplift of the depressed classes.

The Sabha is further of opinion that the power vested by the Simon Commission in the Governor for certification of such candidates should vest in the Association, which should support their candidature by a resolution in a special meeting of its executive committee, carried by a majority of 2/3 of the members present at the meeting.

Our Sabha favours this system of reservation of seats for the depressed classes for the period of transition which should, in no case, extend beyond ten years. After the expiry of this period, there should be no reservation of seats for the depressed classes. They will gain strength, experience, and education to compete and stand their chance in general Non-Muhammadan constituencies as the depressed classes of Bengal are doing at present.

This Sabha views with disfavour and would oppose with all the strength that it can command any system of electorate which would permanently erect a wall between the depressed classes and the general body of the Hindus. The Sabha takes its stand on the reasons so ably stated by the Simon Commission. It regards all efforts made by Dr. Ambedkar and others to secure representation for the depressed classes by a communal door as highly prejudicial to their interests.

In our province there are only 399,307 persons who though belonging to the depressed classes have returned themselves in the census of 1931 not as Hindus but "Ad-Dharmies". This community, 1·7 per cent. of the total population of the province, even if it seeks separate representation, is too microscopic a minority to claim separate representation or any other special privilege. Their numbers can hardly suffice to make even a single constituency. These numbers are not reliable, for most of the people were returned by the census enumerators as "Ad Dharmies", at some places through their ignorance, and at others in flagrant disregard of their wishes. This movement is confined to a small section of the Chamars, one of the various communities comprising the depressed classes. The Balmikies, Doms, Kabirpanthies, Meghs, Batwals, Sarehras, Ghais, Ratals, and even most of the Chamars look upon this movement as engineered by self-interested persons and agencies, and highly suicidal to their interests.

Lala ROSHAN LAL, Pandit GIAN CHAND. } **Representing the Dayanand Dalit Oddhar Sabha, Lahore.**

1. *The Chairman:* You have heard the evidence of the preceding witnesses?—Yes.

2. Can you tell us in what respects you differ?—Practically there is no difference except in the way of franchise. We want to suggest the group system by lowering the franchise as proposed by my predecessors. We would thereby bring on to the list a large number of the depressed classes and those who are left, not only untouchables but all classes of Muhammadans, Sikhs and others.

3. Do you want the group system to be universal?—Yes.

4. You will abolish the direct vote?—No, we want the direct vote as well as the group system.

5. That would bring in the depressed classes, women and everybody ?—Yes.

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6. You want some form of reservation of seats for the depressed classes ?—Yes.

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7. *Mr. Miles Irving :* You are in favour of a general group system in addition to the existing system of franchise. Do you suggest that the groups should be arranged geographically or in separate groups ?—I am in favour of geographical groups.

Memorandum submitted by the AD-DHARM MANDAL of the Punjab, Jullundur City.

In the first place we want to make it quite clear that we are not Hindus. There is no doubt that from time immemorial on account of political and economic pressure we have been kept in the fold of Hinduism. But this was done by the trickeries of the Hindus for their own political purposes. We are as separate from the Hindus as east is from the west and north is from the south.

We are the descendants of the aborigines of India who were the real sons of the soil. We were conquered by the Aryans, and since then we are treated as war captives and therefore something below humanity. Since then many kings have ruled this country, but our lot has not been bettered in the least.

We are treated by the Hindus as untouchables ; but strange to say that we are treated as Hindus in the census report ; we are shown as Hindus, although no Hindu would eat food or drink water touched by a member of our class. A Brahman would take a bath if he were to touch our person nor would he (act as) priest over our ceremonies. No Hindu would tolerate our living with him ; we are looked down upon by everybody. No Hindu barber will shave us, no Hindu washerman will wash our clothes, no Hindu water-carrier will supply water to us, no Hindu will shop from our shops. In short, no Hindu would like to enter into any dealing with us.

The Hindu religious sacred books have emphatically separated us from the high class Hindus. For example, we might quote the following :—

(*a*) Manoo Smriti, chapter VIII, shloks 413, 414, 415, 267, 271, 272, 279, 280, 282, 283.

(*b*) Manoo Smriti, chapter XI, shlok 131.

(*c*) Manoo Smriti, chapter IV, shloks 80, 81.

(*d*) Walmiki Ramayan, Uttrakand Sarf, 87.

(*e*) Manoo Smriti, chapter X, shloks 125, 129, 96.

(*f*) Manoo Smriti, chapter V, shlok 140.

(*g*) Wishanoo Smriti, chapter I, shlok 15.

(*h*) Dharam Sutar of Maharishi Gotam, chapter IV, shlok 12.

It is, therefore, submitted that we are absolutely separate from the Hindus. Under no circumstances we are prepared to join the Hindus. We are a separate body and form a separate entity of our own. We would, therefore, urge that in justice separate representation ought to be given to us. Without this we cannot have any voice in the legislatures. It has always been unjust on the part of the Government to yoke us with the Hindus. This is why we have not been able to make any progress at all. We have been always exparted (exploited ?) by the Hindus and now we refuse to be exparted (exploited ?) by them any more.

Memorandum by the AD-DHARM MANDAL of the Punjab, Jullundur City. [*Continued.*

According to the census of 1921 we are nearly 40 lacs in the Punjab. We claim that in the 1931 census our number must be much more. It is true that in the census of 1921 we are given as Hindus or Sikhs; this is due to the absence of our awakening to the real state of affairs. We have not till lately bothered ourselves with political questions as the clever Hindus had always thrown dust in our eyes. In this respect the movement for our uplift dates back from 1925, and since then we have claimed to be separated with the result that in the 1931 census more than four lacs were recorded Adi-Dharamis in opposition to Hindus and Sikhs. You know the atrocities committed on us by the Hindus and Sikhs for having insisted on our recording ourselves Adi-Dharamis. But for these atrocities our number must have been recorded in the census of 1921 much more than it has been done.

This being the case we insist that we must be given separate representation on the population basis. At the time of the preparation of the electoral roll every member of our community must be asked whether he would like to vote with the Hindus, Muslims or Sikhs or with the Depressed classes. It is only then that our real voting strength will be realised. We want separate representation, because if this is not given, the Hindus will monopolise our seats as they have always done. A number of Depressed classes must vote for a member of the Depressed classes as a Hindu for a Hindu, a Muslim for a Muslim, and so on. We want adult franchise because a very few members of our class have any property qualifications in both urban and rural areas. We do not believe in the group system, because in the first place in our class there will be very few secondary voters who will have property qualification. Secondly, a secondary voter will virtually mean that the primary voter has no vote. The right of voting will thus be usurped by the secondary voter who would be under the thumb of the capitalist and the Hindus.

The question of forming Depressed classes constituency will rest with the Government. The Government cannot shirk its responsibility to the loyal Depressed classes by saying that it is difficult to form special constituencies for the Depressed classes when it can form constituencies for the Hindus, Muslims, Sikhs and Christians. There is no reason why the Government cannot form special constituencies for the Depressed classes. There is no rural urban question among the Depressed classes; there is no quibble of castes among the Depressed classes; we want to be enfranchised as Depressed classes, nothing else. Among our ranks there might be some who might have adopted Vedic Dharam, or Islam or Christianity or Sikhism. We have no quarrel with this; if such people want to vote with their respective coreligionists, let them please themselves. But those members of the Depressed classes who have not adopted Vedic Dharam as their religion or who have not adopted Islam or Christianity they must be given special representation and nothing but special representation.

In conclusion, we want to contradict certain observations made by certain Hindu leaders; for instance, Raja Narendra Nath, an out and out exploiter of the Depressed classes, has said that there was no Depressed classes problem in Punjab. He is simply fooling the Brahmin people by saying so. The real thing is that Hindus do not want that a substantial portion of their population should separate from them and thus leave them in a hopeless minority in the Punjab. Raja Narendra Nath is blowing hot and cold in same breath at the Round Table Conference. He says that there is no Depressed classes as such in the Punjab whereas a member of the Punjab Reforms Committee has laid great stress on their special representation. The same is true of the Honourable Dr. Gokul Chand Narang, Minister for Local Self-Government. The Simon Commission have also clearly laid great stress on the special representation of the Depressed classes. It is in special representation that our salvation lies.

Deputation from the AD-DHARM MANDAL.

Mr. MANGU RAM (President), Mr. HAZARA RAM (General Secretary), Mr. HANS RAJ, Pandit HARI RAM (Vice-President, Ad-Dharam Mandal, Jullundur), Mr. SANT RAM AZAD, Mr. RAM CHAND, Editor of the *Adi-Dinka*, Jullundur City, Mr. HARDITTA MALL, President Mazbi of District Ferozepur, BHAGAT GULABA MALL, Mr. ROSHAN LAL BALMEKI, Mr. SHRIMAN BIHARI LAL, RESI RAM KHALSA BROS., S. RAM SINGH KABIR PHANTHI, MAHATMA MAYIA SINGH KHALSA BROS., Mr. SHULLA RAM, Mr. CHAMAN RAM RAWDASSIA, Mr. KHARKU MAL, Mr. UTTAM CHAND, Mr. HARDIYAL.

1. *The Chairman :* What is the object of the Sant Mut ?—The literature of Raodas Bhagat, Rishi Balmik, Kabir Bhagwan and Nam Dev is called Sant Mut. We call it Ad-Dharm.

2. How many followers have you got ?—We are nearly 20 lakhs.

3. Do you mean that 2 millions of the Depressed classes are all members of your faith ?—They are followers.

* * * * *

4. You want some form of separate representation ?—Yes.

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5. *Dr. Ambedkar :* Is this Ad-Dharm Mandal an association ?—Yes, it is an association belonging to untouchables. In Lyallpur there was first of all an association called Adi-Hindu. We have taken this new name Adh to show the fact that the Hindus don't have any contact with us and therefore we do not want any Hindu efforts.

* * * * * *

6. *Mr. Miles Irving :* You are against the group system and you advocate adult franchise ?—Yes.

7. Supposing adult franchise is not practicable, would you agree to the group system ?—We are against the group system because we thought that there would be property qualification for the secondary voter. If that is not attached, we have no objection, in fact, we would ask for the group system.

* * * * * *

8. *Pandit Nanak Chand :* In what districts are the Adi-Dharmies to be found in the Punjab ?—In Jullundur, Kangra, Lyallpur, Shaikhupura, Gurdaspur, Montgomery, Ferozepur, Hoshiarpur, Ludhiana and Ambala.

9. What is their population in the Punjab ?—Their number is about 4 lakhs.

10. Supposing the indirect election through the group system is not adopted and adult franchise is not given, what method would you suggest by which these people could be brought on to the electoral roll ?—Those who pay Haisiyat tax or Chowkidari tax or income-tax or those who have passed the Primary examination may be enfranchised.

11. Would you include the wage-earners ?—Yes.

12. What wage limit would you suggest ?—Rs. 10 in urban areas and Rs. 5 in rural areas.

13. Would you like to lower the residential property qualification which is now Rs. 4,000 ?—Yes, we would make Rs. 100 worth dwelling as the qualification.

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Memorandum submitted by Mr. M. A. GHANI, M.L.C., General Secretary, Punjab Labour Board.

1.—PROVINCIAL LEGISLATURES.

A. Extension of Franchise.

(*a*) When we take into consideration that it is " necessary so to widen the electorates that the legislatures to which responsibility is to be entrusted, should be representative of the general mass of the population and that no important section of the community may lack the means of expressing its needs and its opinion ", the best means I can suggest by which the existing franchise could be extended so as to include 10 per cent. of the population in the electoral roll is *Universal Adult Franchise to be manipulated through a group system.*

According to the 1931 census, the population of the Punjab is 23,581,000, 10 per cent. of which will be 2,358,100, which should be enfranchised according to the abovementioned dictum. Now the adult population in the Punjab is 11,655,000. If we were to form groups of 5 persons each, we will have 2,331,000 which is almost equal to 10 per cent. of the whole population. In this way and in this way alone the Legislature can be made truly representative of the general mass of the population and it is in this way and in this way alone that every section of the community can obtain means of giving expression to its needs there.

Any franchise based on property qualification or even on literacy qualification, however low it may be, will not be acceptable to the workers. A qualification based on property or literacy is unnatural, unjust and capitalistic in its essence. On the one hand, you deprive a man, in one way or the other, of the means of acquiring property or acquiring education and on the other, you deprive him of the right of vote because he has no property or education. This is manifestly unjust. By basing the right to vote on considerations of property or education, a large number of the population will remain without any vote. For these people, surely, the responsible Government shall have no meaning at all. Legislature without the vote of these people will not be representative at all.

(*b*) Yes, certainly. I can say from my experience as a labour worker that all adults will be capable of casting an intelligent vote. At any rate, they will not be less intelligent than the present voters are.

(*c*) Yes. It is on administrative considerations only that I advocate the group system, otherwise I am entirely in favour of Direct Universal Adult Suffrage. If we give every adult the right to vote, it would mean that we are enfranchising three times the present number of voters. I believe arrangements can be made to cope with this number. If, for any reason, the Government think that they will not be able to manage this number, then I would not mind if 10 primaries were to elect 1 secondary. In this way we would bring the number of the secondaries to one half or one and a half times the present number of voters. This number will surely be manageable very easily indeed.

(i) *Preparation of Electoral Rolls.*—I do not think there will be any difficulty in preparing the electoral rolls. The Patwaries in collaboration with the village School Teachers in the Rural areas and the Municipal Clerks in conjunction with certain specified respective political organisations in the Urban Areas could prepare the rolls of Primary Voters. These lists could be very easily scrutinised by the Qanungoes and then checked here and there by the Tehsildars and Naib Tehsildars. The Census Lists of 1931 will go a long way in helping the preparation of, and checking, the electoral rolls. Any claims or objections could be summarily dealt with by the Tehsildar and Naib Tehsildar in their respective Illaqas in the Rural Areas and by the first Class Magistrates and Sub-Judges in the Urban Areas. In the Rural areas, the Zaildars and Lambardars and in the Urban Areas the Municipal Commissioners could help the Revising authorities a good deal. Again it should be provided by Law that every adult should get himself or herself recorded on the Rolls under penalty of a small fine.

Memorandum by Mr. M. A. Ghani. [*Continued.*

(ii) *Election of Secondaries.*—After the list of primaries are complete, every village and town should be called upon to elect the secondaries. Every one who might want to become a secondary should get a group of 5 or 10 primaries as the case may be. In every Tehsil, there are, at an average, 3 or 4 Thanas. Each Thana should be placed under a Tehsildar, a Naib-Tehsildar, a Sub-Judge, and a Tehsil Inspector of Schools. If there are more than 4 Thanas, then certain officers from the District Staff may be employed. These officers should then go from village to village and cause the secondaries to be elected in a summary way preferably by a show of hands. All claims and objections should be decided there and then summarily. A list of secondaries could thus be easily prepared. The officers concerned could easily tour through the country. There will be no dislocation of the official work. These officers are after all touring officers and while holding the Primary Elections, they can also do their ordinary touring work. Not more than a fortnight will at the most be required to finish the Primary Elections. Even if it were to take longer, the work must be taken in hand in the interest of the highest public good. Moreover as the future elections are going to be for 5 years, there will be no harm even if there will be a little dislocation of work after every 5 years. I do not think there will be a fall of the Government after every six months or after every year. Even if there is, no incalculable harm will be done to the ordinary routine official work. Apart from the various political and social organisations, many junior Legal Practitioners will surely volunteer to do the work honorarily.

(iii) *Revision of Electoral Rolls.*—The Electoral Rolls could easily be revised a few weeks before the Primary Elections by the same agencies as those suggested for their preparation. This will not be a difficult task at all.

(iv) *Recording and Counting of Votes.*—This sub-head, I think, relates to the Council elections. As suggested above, if we were to form groups of 10 primary voters, the number of the electors will be only half as much more than the present number of electors. The same machinery will therefore be quite competent to record and count the votes as at present. If it is considered that there are not sufficient officers to function as Polling and Presiding Officers, many members of the Bar could surely be employed to function as such. In England and in many other countries, elections are run by Barristers. I fail to understand why this could not be done in India.

So far as the recording of the votes by the voters is concerned, I will suggest that coloured boxes should be used. In this way the voter will not have to make any mark on the voting paper but will be able to poll secretly. I certainly deprecate the system whereby the Presiding Officer marks the ballot paper on the instructions and on behalf of the illiterate voter. I have heard of many dishonest and unscrupulous officers who have for obvious reasons marked the papers wrongly so as to help the candidate of their liking.

Much is made of administrative difficulties. Much is said of the dislocation of work. Much is harped on the paucity of the number of officers. All this is merely imaginary. Where there is a will, there is a way. If it is really intended to grant Provincial Autonomy, and if it is really intended to make the Legislature truly representative of the general mass of the population, all these so-called difficulties, whether real or not, can surely be surmounted. Our Government is certainly strong and able enough to do all this.

(*d*) As my answers to (*b*) and (*c*) are in the affirmative, therefore (*d*) does not arise.

(*e*) Yes. As I have said above, it is only on administrative grounds that I am in favour of the group system. It is not my ideal but it is a mere expediency for the time being. I feel that by advocating the group system I am virtually depriving the primary electors of the real vote. I also realise that the secondary voters will mostly be propertied men but cool and calculated considerations of practical statesmanship have compelled me to subscribe to the group system. After all something

is better than nothing. A primary vote is better than no vote. After 5 or 10 years, when the people will have realised the value of their votes and appreciated the work of the representative political institutions, then full fledged direct universal adult suffrage could with advantage be introduced.

(*f*) In my considered opinion, the combined system suggested in (*f*) will not be practicable. It will be complicated on the one hand, and ill-logical on the other. Why not have simple, untarnished and unalloyed system of Adult Franchise and have the whole adult population reflected in the Council on uniform basis. The mixed system will be too cumbersome. It is based on capitalistic ideas and savours of old prejudices. It retains the property qualification which is condemned everywhere. It creates an unnecessary and invidious distinction between a direct voter and an indirect voter and will thus create a further division among the population. The indirect voters will feel that they are taken as inferiors with the consequent complications, heart burning and head breakings. Further I do not think that the loss of the direct vote by those who at present enjoy that privilege and its substitution by a vote for a secondary elector would be regarded as a source of grievance. Such voters shall have a right to elect their secondaries all the same. The suggestion to form separate constituencies for the indirect electors is merely puerile.

(*g*) Does not arise.

(*h*) I am definitely of the opinion that it would be quite feasible and advantageous to abolish all existing qualifications for voters and substitute Universal Adult Franchise for all constituencies to be exercised through secondaries chosen by groups of primary voters.

(*i*) I think a group of 10 primary voters would be a suitable size for the groups. If we were to have a group of less than 10, the number of secondaries may become administratively unmanageable. If it is more than 10, we will be unnecessarily reducing the number of secondaries and thus depriving a large number of the primaries of their right of direct vote. Again if the groups are of more than 10, there is a danger of the secondaries being bribed or approached more than they would otherwise be. The basis on which the group system will be constituted and the officers whom I would like to charge with the duties of framing them have been discussed above.

(*j*) No. I am not in favour of any other special qualification for the secondaries than that for the primaries. If we were to require a special property or educational qualification for the secondaries, there are sure to be very large number of groups who will not be able to find any qualified secondaries. Moreover if the secondaries are to have any special property or educational qualifications, we would be cementing the present objectionable capitalistic system only under another garb. But all the same I would certainly prescribe a literacy qualification for a candidate. We do want that the members of the Council would at least be literate people. An illiterate member is worse than no member at all.

2. FRANCHISE QUALIFICATIONS.

(*a*) There is certainly a marked disparity between the franchise qualifications of the urban and rural voters. Universal Adult Franchise will certainly rectify all such disparities.

(*b*) I am entirely in agreement with the suggestion of giving voting strength to each community in proportion to its population. The system of Adult Franchise will very nicely fit in whether the separate electorates are retained or not and whether the joint electorates are with or without reservation of seats.

(*c*) No. The possession of property of any kind is not at all a suitable test of fitness for franchise. This test is opposed to democratic principles. It is based on capitalistic ideas. I do not consider the existing property qualifications suitable at all. Nor do I consider that the property qualification, however low it may

be, a suitable thing at all. The only modification I can suggest is Universal Adult Franchise which will satisfy all Communities and all Interests. A property qualification will not achieve the desired result as submitted above.

(*d*) No. For the reasons given above, I am not in favour of introducing a qualification based on education. This qualification is only necessary for a candidate who must be, by the way, a secondary voter.

(*e*) No. In view of the proposal of Adult Franchise, every rank and file of the army will be a voter. No minor can enter the army.

3. Women's Suffrage.

(*a*) I am not in favour of increasing the women's electorate in the way suggested by the Simon Commission. I am in favour of applying the universal principle of Universal Adult Franchise to women also. They are as much entitled to vote as the men are. There should be no distinction whatsoever in this respect.

(*b*) There should be for the present as a temporary measure separate groups for the women. I am against mixed groups at any rate for the present. It will be difficult for the women voters to go to the Polling Booths and tender their votes along with the men. Knowing what generally happens at the election stations, I think many women will be deterred from tendering their votes. The character of the men in general has not as yet sufficiently developed as to allow our women to stand on equal footing so far as the elections are concerned. Mixed groups may lead to different complications and unpalatable results might follow in many cases. After 5 or 10 years, when the people will be more trained in the elections and when their political and moral outlook will be more widened, mixed groups will be a practical proposition. At present they cannot be.

(*c*) I am not in favour of the system of co-option even as a temporary measure. In order to ensure representation of women in the Legislature, I would certainly recommend separate constituencies. Let women then elect their own representatives to the Legislature. Otherwise there is hardly any hope of any woman being returned to the Council. Hence if it is really desired to have woman members in the Council, let there be separate constituencies for them at any rate for the present. Their elections can be conducted by women Polling and Presiding Officers.

4. Representation of the Depressed Classes.

As there seems to be a certain amount of misunderstanding and misapprehension about the Depressed Classes in the Punjab, I would like to deal with the subject in some detail.

To my mind, the Depressed Classes comprise all those unfortunate communities who, in one way or the other, are economically depressed or humbled and dispirited on account of the prevailing social and religious institutions and the economic structure of the organic whole and who, therefore, cannot have fair play in the full realisation of their development on equal footing with other communities in general and have of necessity to everlastingly grovel at the foot of the social, intellectual, moral, and material ladder of life. The members of these communities are the descendants of the aboriginies of this Land whom the Aryans conquered and subdued so ruthlessly that even up to the present day, they are regarded as something below humanity. They were dubbed as "Sudras" by the Hindu Scriptures and were enjoined to perform generation after generation, the most dirtiest duties for the sake of the other people. Such are the people who are called "Untouchables", *i.e.*, those whose very touch is believed by a Hindu to make him impure. It is true that on account of the spread of Islam in the Province and now that of Arya Samajism, the rigour of untouchability is not so severe here as it is said to be in Southern India but it is there. Surely no one can seriously deny it.

Memorandum by Mr, M. A. GHANI. [*Continued.*

Some of these "Untouchables" have embraced Islam and other religions such as Sikhism and Arya Samajism and Christianity. By embracing these religions, they have ceased to be religiously and therefore to some extent socially depressed but economically depressed they still are. I would therefore include the following communities as Depressed classes in the Punjab :—

A. Religiously depressed :—

1. Churas.
2. Bhangis.
3. Chamars.
4. Sureras.
5. Domnas.
6. Bhanjaras.
7. Sansis.
8. Ghandillas.
9. Meghs.
10. Harnis.
11. Bazigars.
12. Barwallas.
13. Sirki Bands.
14. Gagras.
15. Ghais.
16. Ghosis.
17. Kathias.
18. Meenas.
19. Batwalls.
20. Barars.
21. Bhills.
22. Jaswaras.
23. Chanals.
24. Dhanaks.
25. Sepis.
26. Mehtams.
27. Kaneras.
28. Ahirs.
29. Bagris.
30. Baorias.
31. Bangalis.
32. Pasis.
33. Pakhiwaras.
34. Bhills.
35. Gonds.
36. Ad-Dharmies.
37. And so forth.

B. Economically depressed :—

1. Mussallies.
2. Jolahas.
3. Nais or Hajams.
4. Mashkis or Bahishis.
5. Mazhibies.
6. Khalsa Brothers.
7. Dhobis.
8. And all those from class (A) who have embraced either Islam, Christianity, Sikhism or have become Aryas.

In my considered opinion, the Depressed classes will not be able to secure representatives of their own choice in the general electorates even if we were to promulgate Universal Adult Franchise. We have got a good data to deduce the above proposition from. In the Punjab, the Municipal Franchise is sufficiently low as to give a right of vote to these depressed classes. Still, not a single member belonging to these classes has ever been returned to any of the Municipalities.

The high caste Hindus, Muslims and Sikhs have always got themselves returned by securing their votes. The same will happen in the Council elections. They are politically too backward and economically too poor to assert themselves against the Pandits and Syyadis and Jats and Arains. It is for this very reason that the Hindus, Muslims, and Sikhs oppose their special representation. If this is given to them and there is no reason why it should not be given, the number of the Hindus, Muslims and Sikhs will proportionately decrease with the consequent decrease of their political influence in the country. Again, as most of these people are "Kamins" in the rural areas, the agriculturists think that their cruel hold on these poor people will be loosened with the consequent decline of their pride and power if separate electorates are given to these unfortunate classes. It is the height of their selfishness to do so and I condemn it with all the vehemence at my command.

In justice and fairness to these backward classes if I may call them so, I would most strongly recommend that they should be given special electorates. Special constituencies of these people should be formed and they should be called upon to

elect representatives of their own community on the principle of Adult Franchise with group system as has been submitted above. I firmly believe that the salvation of these people lies in their separate electorates. In order to get them out of that most shameful degradation they have been in since time immemorial and to shake off that lethargy they have been developing for centuries together, they should have separate electorates otherwise they will remain what they are and what they have been since their conquest by the Aryans.

Again, it is the height of injustice to these people that they should be yoked with the Hindus and Sikhs who do not even touch them and who simply abhor and detest their very presence and who have been socially boycotted by them. Hindus have never regarded them as Hindus. It was the Muslims who took them to be Hindus along with other Hindus when they first came to this country. As it was necessary to consolidate the whole nation against the foreign invader, therefore they were taken into the Hindu fold and since then they have been used as mere catspaws by the high caste Hindus for their own political ends.

A strong movement is afoot among these people to cut themselves off from the Hindus and form a separate religion of their own. This religion is called " Ad-Dharam ". So popular the movement is among them, that in the last census, with all the atrocities and cruelties perpetrated on them by the Hindus and Sikhs, no less than 4 lakhs of them were able to have themselves recorded as Ad-Dharmis. Had there been no pressure on them from the well-to-do communities, their number would surely have been no less than 25 lakhs.

Under the circumstances, I would strongly appeal for separate electorates for them. Their election should in no way differ from the election of other communities except that there should be mixed groups of both their men and women.

All the communities which I have described to be religiously depressed form a separate entity and should be called upon to elect their own representatives. Their constituencies should be formed just like the constituencies of other communities. I am in favour of giving to them proportionate representation according to their population. I insist on their separate electorates.

5. REPRESENTATION OF LABOUR.

As both the Punjab Government and the majority of the Punjab Franchise Committee have not recommended, on one ground or the other, special representation of Labour in the Legislature, I, as a Labourite, therefore, will discuss the question at some length. First of all, let us be quite clear what is meant by the " Labouring Classes ". In ordinary parlance, the term " Labouring Classes " is synonymous with those toiling and turmoiling classes who earn their livelihood by the sweat of their brow as distinguished from the " Capitalist Classes " who invest their Capital with a view to make profit in one sense or the other. As the Labour movement as such has been transplanted from the West, therefore by the term " labour ", is generally understood to be " Industrial Labour ", *i.e.*, those workers engaged in an " Industrial Undertaking ". According to Article 1 of the Washington Hours Convention, an " Industrial Undertaking " is defined thus :—

" For the purpose of this Convention, the term " Industrial Undertaking " includes particularly :—

(i) Mines, Quarries and other works for the extraction of minerals from the earth.

(ii) Industries in which articles are manufactured, altered, cleaned, repaired, ornamented, finished, adapted, for sale, broken up or demolished, or in which materials are transformed,.....and the generation, transformation and transmission of electricity or motive power of any kind,

Memorandum by Mr. M. A. GHANI. [*Continued.*

(iii) Construction, reconstruction, maintenance, repair, alteration or demolition of any building, railway, tramway.....canal, inland waterway, road, tunnel, bridge, viaduct, sewer, drain, well, telegraphic or telephonic installation, electrical undertaking....or other work of construction as well as the preparation for or laying the foundations of any such work or structure.

(iv) Transport of passengers, or goods by road, rail.....or inland waterway.

This definition is wide enough to cover a very wide range of the workers, *e.g.*, all miners, all factory workers whether seasonal or perennial or whether regulated or unregulated, all those petty Karigars or Skilled workers of a hundred and one kinds, Cotton Press and Ginning workers, Flour Mill workers, Printing Press workers, workshops people, Oil crushers, Electric workers, Masons, Carpenters, Blacksmiths, Weavers, all Railways, Canals and Roads workers, Motor Drivers and Mechanics, Tonga and Cart wallas and other Transport workers, Sailors, Coolies, Electro-platers, Bridge-makers, Excavators and so on and so forth. Except as regards the workers in the Factories brought under the Indian Factories Act, never a Census has been taken of these Industrial workers. Even the Census figures are misleading. According to the Annual Report on the Working of the Indian Factories Act, 1930, there were 49,549 operatives working in the Factories regulated under the Factory Act, *i.e.*, in Factories using power and employing more than 20 workers. On account of the absence of large "Industrial Undertakings" in the Punjab, the bulk of the workers work in the small Factories not brought under the Factories Act. Their number in my most moderate and conservative estimation is no less than 2½ lakhs. Add to this number the workers in the other Industrial undertakings as defined above, the number of Industrial workers as such is no less than 5 lakhs in the Punjab.

Apart from these Industrial workers, we have to take into consideration the "Agricultural Labour" also. In the term "Agricultural Labour" I will not include peasant proprietors who form the bulk of the population of this Province. By "Agricultural Labour" I mean the tenants and other field labourers. Tenants are of various kinds in the Punjab, *e.g.*, Crown Tenants, Occupancy Tenants, Non-Occupancy Tenants, the Siris and so forth. All these are a sort of serfs working under the landlords. Only the Crown Tenants number 281,848. I think that the agriculture labour in the Punjab is not less than 10 lakhs.

Now the question is how to safeguard the political and economical interests of this vast number of poor people. The Punjab Government say that with the lowering of the Franchise, this large number of workers will get votes and can have representatives of their own choice in the Legislature. In my opinion, even if we have Universal Adult Franchise, these workers will never be able, under the present circumstances, to return even one Labour Leader. So long as there are communal electorates in the Province, there can be no question of any prospect of the return of a labourite. Have joint electorates. Let the election issues be political and economical. Then there may be some chances for Labour otherwise there are none. Again, as I have said before, election is a game of money. Workers are too poor. They are under the thumb of the capitalists. They therefore succumb to the glitter of gold and vote for the capitalists. As we are going to have Responsible Government in the Province, it means that the Power is going to be exercised by the big bellies (*sic*) of the Punjab, therefore it is very essential, nay, imperative to have Labour represented in the Legislature by some special means. Again it is said that as Labour Legislation is going to be a Federal or Central subject therefore there is no need of special representation of Labour in the Provincial Legislature. I beg to differ from this view. Even assuming that all Labour Laws and all Labour Legislation will be Central subject, the working of those Laws would surely be in the hands of the Provincial Gov ernments. We all know that it is the

working of an Act that counts most. The taste of the pudding, as they say, is in its eating. Hence there must be some one in the Provincial Legislature to see how the Labour Laws are administered by the Provincial Government. It is one thing to legislate but quite another to administer. Hence it is essential that Labour should be given special representation. Again as observed before, the future Government will be in the hands of the Indian Ministers who would either be big landlords or big factory owners. We know that the Indian employers and Indian capitalists are far worse than the English employers and English capitalists. In them, the Labour mentality had not as yet developed. They still regard Labour as a mere chattel to be bought and sold in the market according to the eternal and infernal law of supply and demand. They are surcharged with their old prejudices against Labour. Hence it is very essential that Labour should be given special representation on this ground also. In their Report on page 462, under the caption "Labour and the Franchise", the Royal Commission on Labour observe as under :—

"Dealing first with the latter aspect of the question, we would observe that there are several directions in which the adequate representation of Labour should benefit both itself and the community. In the first place, the presence of representatives able to voice the desires and aspirations of Labour and translate these into concrete proposals is essential for the proper consideration of measures specially affecting labour. But the welfare of Labour does not depend purely on what may be called labour measures ; its good depends on the whole trend of policy and legislation. More adequate representation of labour is necessary for its protection in this respect and if given the opportunity organised labour can make a valuable contribution to the wise Government of the commonwealth. Further the proper representation of Labour is itself education, the recognition of its claims as a part of the body politic will bring increased responsibility and a sense of Unity with the community as a whole. Conversely exclusion of labour from a fair share in the Councils of the nation will inevitably drive it to rely unduly on other means of making itself felt, with injury to itself and to the nation. What we have stated is applicable to labour generally both agricultural and industrial and those who have to deal with the representation of labour in detail will no doubt place regard to the whole field."

On the question of special representation of Labour, they observe at page 463 as under :—

"We can say, however, with confidence that if special electorates are to remain a feature of the Indian constitution, there is hardly any class with so strong a claim to representation by this method as Industrial labour.....Even after the minor reforms made in 1923, industrial labour by comparison with employers has been under-represented. Most of the bodies which have been set up to advise on the future constitution have recommended strengthening the representation of labour and we urge that if special electorates are retained, it should be recognised that Labour has no less claim to representation than the employers."

This ought to set the matter at rest so far as the special and adequate representation of Labour is concerned.

The majority of the Punjab Franchise Committee have been pleased to say that as there is no organised Labour in the Punjab, therefore there is no need of special representation of Labour. I do not know what made my Hon'ble and learned colleagues come to this most astounding finding. I cannot believe that they are so ignorant of what is going on round them. It may be that as I was unavoidably absent from the Committee at the time the matter was discussed there, their capitalistic mentality had the upper hand and therefore they made this recommendation which is on its very face, incorrect and is too conservative, too capitalistic and too reactionary. This in itself is a good reason for giving special representation to Labour. For their benefit I would give a list of the Trade Unions and Labour

Memorandum by Mr. M. A. GHANI. [*Continued.*

Organisations in the Punjab in order to show the extent of the organised labour in this Province.

1. The North Western Railway Union.
2. The N. W. R. Account Union.
3. The N. W. R. Audit Union.
4. The General Workers' Union.
5. The Punjab Revenue Patwaries' Union.
6. The Punjab Canal Patwaries' Union.
7. The Punjab Qanungoes' Union.
8. The Labour Union, Khewra Salt.
9. The Tarki Lime Stone Factory Workers' Union.
10. The Punjab Minors' Conference.
11. The Tahsildars' Union.
12. The Superior Revenue Subordinates' Union.
13. The Punjab Teachers' Union.
14. The Punjab Vernacular Primary Teachers' Union.
15. The Punjab Motor Drivers' Union.
16. The Kalka Motor Transport Workers' Union.
17. The Lahore Tonga Drivers' Union.
18. The Shahdara Mills' Workers and Workshops Employees' Union.
19. The Punjab Carpet Factories Workers' Union.
20. The Bankteshwar Cotton Mills' Workers' Union.
21. The Amritsar Labour Union.
22. The Hosiery Workers' Union.
23. The Moulders' Union.
24. The Electric Workers' Union.
25. The Mechanical Workers' Union.
26. The Simla Rickshaw Drivers' Union.
27. The Punjab Peons' Union.
28. The Punjab Civil Secretariat Clerks' Union.
29. The Punjab Press Workers' Union.
30. The Punjab Government Press Workers' Union.
31. The Punjab Tenants' Union.
32. The Lahore Municipal Employees' Union.
33. The Amritsar Municipal Employees' Union.
34. The Sargodha Municipal Employees' Union.
35. The U. I. Homeopathic Association.
36. The Scavengers' Union.
37. The Sweepers' Union.
38. The N. W. R. Compilation Union.
39. The Mason's Union.
40. The Rate Payers' Union.
41. The Punjab Process Servers' Union.
42. The Lahore Tailors' Union.
43. The Mechanics' Union.
44. The Katibs' Union.

45 The Amritsar Tonga Workers' Union.

46. The Punjab Labour Board.

47. The Punjab Trade Union Congress.

48. The Central Labour Federation and so forth.

Out of these 19 are duly registered under the Indian Trade Unions Act.

Apart from the industrial labour it is very necessary that agricultural labour should also be represented in the Council as remarked by the Labour Commission. Their condition in the rural areas is even worse than the industrial workers in the Urban areas. In view of the power which the landlords hold in the Moffasil, no member of the agricultural labour can even dream of standing for an election of the Council. As the interests of the landlords naturally clash with those of the agricultural labour, therefore no landlord can ever be expected to advocate their cause in the legislature. Under these circumstances, it is clear that the industrial labour and the agricultural labour are special interests and therefore are separate entities and hence they should be given special representation.

I would, therefore, suggest that there should be special constituencies for the industrial labour and for the agricultural labour and the election should be held on the principle of Adult Franchise with the group system as for the other constituencies. I say so because the needs of both of these classes are peculiar to themselves and it is not right to yoke them together. I do not agree with those who suggest that only members of a registered trade union should be enfranchised. Workers who are not organised, should not be deprived of the right of votes. So far as the question of the method of election is concerned, I would suggest the following :—

(*a*) In the case of organised workers, their election ought to be through their respective Trade Unions as recommended by the Royal Commission at page 464 of their Report.

(*b*) In the case of unorganised workers, *e.g.*, the Agricultural Labour, they should elect their representatives on the principle of Adult Franchise to be manipulated through the group system.

The representation of labour should be on the principle of proportionate representation. If it is decided to enfranchise members of Trade Unions only, then the number of seats should be reserved so that there may be effective voice on behalf of labour in the Council. I would suggest that at least ten seats should be reserved for labour. These seats may be allocated according to the different classes of labour, thus :—

(*a*) Factory workers.

(*b*) Railway employees.

(*c*) Motor and other Transport workers.

(*d*) Miners.

(*e*) General labour.

Similarly seats for agricultural labour may be allocated thus :—

(*a*) Crown tenants.

(*b*) Occupancy tenants.

(c) Tenants-at-will.

(*d*) Siris.

(*e*) General field labour.

It is true that in some cases agricultural labourers may also be industrial labourers and *vice versâ* on the one hand and on the other, some members of the depressed classes may be industrial labourers as agricultural workers. In such cases, the workers should be asked in what particular constituency they would like to vote.

Memorandum by Mr. M. A. GHANI. [*Concluded.*

In conclusion I may remark that as there is no Hindu-Muslim question in the labour movement, therefore there should be the system of joint electorates in the special constituencies of labour.

5A. REPRESENTATION OF SPECIAL INTERESTS.

In my opinion, except Labour, there should be no special representation for either Universities, Commerce, Mining, Planting and landlords. There are very few private mines in the Punjab. We have no plantings here either. Universities, Commerce and Landlords can very well be represented through the general constituencies. Even now, on every bench of the Council, there sits either a landlord, or a trader or a university man or an industrialist. I fail to see why there should be special representation for these interests.

II.—THE FEDERAL LEGISLATURE.

6. ALLOCATION OF SEATS TO BRITISH INDIAN PROVINCES.

(*a*) Yes.

(*b*) No.

(*c*) The members of the Provincial Council should elect members of the Lower Chamber from amongst themselves.

7. REPRESENTATION OF WOMEN LABOUR AND DEPRESSED CLASSES.

The principle enunciated in 6 (c) should apply here also.

Mr. M. A. GHANI, M.L.C., General Secretary, Punjab Labour Board.

1. *The Chairman :* You are in favour of the group system ?—I am in favour of direct adult suffrage, but if that be impossible for administrative reasons, I would favour the group system. I know that when I am advocating the cause of the group system, I am depriving the primary voter of the right to direct vote. But, if, for administrative reasons, it is not a practical proposition, I submit that the group system might be approved.

2. You are prepared to take away the direct vote from all those who have it at present and make the indirect system universal ?—Yes, absolutely universal.

3. Do you think that it will not cause resentment among the people who have the vote to-day ?—Not at all, because they would exercise the right of primary vote all the same.

4. You would not mind substituting the primary vote to the secondary vote ?—I would not mind.

5. Is the figure 49,549 that you have given for industrial labour, indicative of the number registered under the Factories Act ?—Yes.

6. Your estimate of the rest of the industrial labour is 2½ lakhs in addition ?—Yes. The thing is this : According to the Indian Factories Act, only those factories are brought under the Act which employ more than 20 persons.

7. Have you any estimate of the number of people working in the agricultural districts without any means of subsistence except agricultural labour ?—I have not got the actual figures. The census figures also will be misleading.

8. Why ?—In the census statements, there is no column for 'Field Labourer'. Also for 'Occupancy Tenant' and 'Tenant-at-will' there are no columns. Every peasant proprietor may be called a field labourer.

9. Will he be registered as such ?—He will be registered as an agriculturist or a zamindar.

10. Not as an agricultural labourer ?—No. If you call him an agricultural labourer, he will resent the term. He will say, 'I am in possession of my own land. Why, should I be called a labourer'.

11. If he is a proprietor of land, he would not be an agricultural labourer ?—The difficulty is that there are so many agricultural labourers in the villages who are also peasant proprietors.

12. You want 10 seats in the legislature to be reserved for labour ?—It may be called a water-tight number. I should like to have seats reserved for labour in proportion to their population. In the first place, I am in favour of giving representation to labour according to its population and secondly, if it is provided that there should be reserved seats for labour, then I would demand at least 10 seats in the Punjab Legislative Council.

13. Special seats for labour ?—Yes.

14. What is the exact form by which you would elect members to these special seats ?—There are two sorts of labour, organised and unorganised. Organised labour may get representation through trade unions. For unorganised labour I should like to have a special constituency formed where individual members on the group system and adult franchise might elect representatives. I would prefer the trade union method more than any other.

15. These 10 seats should be allotted to the different classes of labour, factory workers, motor and other transport workers and so on ?—Yes.

16. You will have the workers in separate groups ?—Yes. If factory workers are organised, then they would elect a representative through their trade union. Those that are not so organised might elect their representatives separately.

17. Is it not a complicated business to have so many seats for groups, so many seats for unions and so on ?—In Punjab I would try to have all the labour organised for the purpose of election, but if any particular body could not be so organised it may be allowed to form itself into a group or groups and elect its representative.

18. Of the 50 and odd unions, 19 are registered ? Will you give me the membership of these registered unions ?—I have got here the Government report on the working of the Factories Act. They, however, do not give a clear idea of organised labour in Punjab. For Union No. 10, the membership is shown as 1,404. It will suggest the idea that there are only 1,404 members in that union. It is incorrect. The figure 1,404 really represents 1,404 families and when each family consists of 4 to 5 members, this number has to be increased 4 or 5 times.

19. That is, if there are 4 or 5 members in a family ?—What I am saying is that this figure 1,404 really represents 1,404 families working in mines.

20. You mean to say that in this figure 1,404 all the names are not included ?—Not included.

21. Why is that ?—It is due to a defect in the rules of the unions.

22. The big union is the railway union ?—Yes.

23. *Diwan Bahadur Ramaswami Mudaliyar :* I find from the Report that the total number of operatives in 1930 was about 49,549. That is what you call industrial labour in this province ?—Oh ! no. That is industrial labour in the factories brought under the Indian Factories Act. Factories or workshops which do not employ more than 20 persons and where power is not used do not come under the Factories Act and the operatives employed there do not therefore come intothe list in the Report.

24. What are those factories where less than 20 persons are employed and are therefore not included in the Report ?—There are all sorts of factories and printing presses. We have about 70 printing presses each of which employs less than 20 persons.

25. If they are included, what will be the number of industrial labourers in Punjab ?—5 lakhs.

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26. You suggest that you would like to have representation for labour on a population basis ?—Yes.

27. Supposing 5 lakhs is the total number, how many seats will you give them in a Council of 200 in the Punjab ?—As many seats as 5 lakhs of Hindus or Muslims or Sikhs would get.

28. Is it on an arithmetical calculation that you have given the figure 10 for representation of labour ?—Yes. As there are 5 lakhs, 5 seats may be allotted to labour.

29. Your proposal roughly works out to 1 seat for every 100,000 ?—Yes, if we have 200 members in the Council.

30. You have suggested that part of the representation should be through trade unions and for unorganised labour there should be direct franchise and direct representation ?—Yes.

31. How would you divide these seats between these two classes ?—I would prefer representation through their appropriate trade unions and those that are left out of trade unions may be enfranchised on the system under which Muslims, Hindus and Sikhs will be enfranchised.

32. Mr. Ghani, pardon me, it is not a question of representation through appropriate trade unions to be formed hereafter. You see that 80 per cent. of labour is outside these trade unions ?—I would not subscribe to the suggestion that only 20 per cent. is organised in Punjab.

33. What is the total of all recognised unionism in Punjab and unrecognised unionism ?—I have not worked out the figures. But I can give the number of members of trade unions and then you might total them up.

34. *The Chairman :* It is roughly 16,000.—That is as regards registered trade unions. The member is referring to all the unions.

35. *Diwan Bahadur Ramaswami Mudaliyar :* In the unregistered trade unions, what would be the rough estimate of the total number of members ?—I think it would be about 1 lakh.

36. Even so, you find that 4 lakhs of people are outside trade unions ?—About 3 lakhs and odd.

37. The overwhelming majority of industrial labourers are outside trade unions and therefore you would regard their representation as of primary importance and the representation of men in unions as of secondary importance ?—This is what it is at present. By the time people see that they would get representation through trade unions, I feel that the operatives who are not now organised will organise themselves and elect their representatives through their organisations. So, my estimate is that when the next electoral roll is prepared, there will be 250 trade unions existing in this province and we will have more than half the operatives returning representatives through trade unions.

38. It is not a personal question. You describe yourself as a labourite. I wonder if you will tell the Committee what you mean by a labourite ?—A labourite is one who subscribes to the uplift of labour and who works for the cause of labour.

39. It does not mean that he must necessarily be a member of a trade union ?—A labourite need not necessarily be a member of a trade union.

40. Would you therefore have any labourite representing a labour constituency ?—Yes, certainly.

41. Whether he is a member of a trade union or not ?—I would not call a man a labourite unless he is a member of a trade union.

42. That is why I started with that question. So, you would like to go back on your answer and confine the candidature to members of trade unions ?—Yes. I may tell you one thing more at this stage. According to the Indian Trades Union Act, half the members of the executive body of a union may be outsiders.

43. I can assure you that, at this stage, we know the Trade Unions Act fairly well. There is a tendency during the last few months or weeks for trade unionism to be organised on communal basis. You know that ?—Attempts are being made by certain interested persons among Hindus, Muslims and Sikhs to divide the labour movement, but we are trying our best to save the workers from being exploited in that manner.

44. You suggested that the North Western Railway union is one of the most important organised unions in this province ?—Yes.

45. You know that this idea of communal trade unionism has been mooted and in fact to a certain extent successfully too, among the railway unions ?—No. Not at all.

46. Are you aware that there was a separate Muslim Railway Employees' Conference in Delhi recently ?—Yes. Mostly members of the Assembly were present there. Very few railway workers were there and only about 10 workers from the Mogulpura workshops attended that conference.

47. In the provinces it is members of the Legislative Councils and at Delh it is naturally the members of the Legislative Assembly. It is all the same. My point is that there is a tendency to form these trade unions on a communal basis. That being the case, would you give the right of representation to labour through trade unions, or would you prefer to have, as you seem to be a strong advocate of non-communalism in labour, a separate electorate of all labourers directly brought into a big electoral roll ?—I do not think that communalism will ever get a foothold in the labour movement. Let interested persons work hard at it, we will show by results that they cannot succeed. Your question, therefore, does not arise.

48. In your province, there has been recently a tendency for the membership of these trade unions to fall ?—Yes.

49. Do you think that it will be checked if trade unions are given the right of sending a member to the council ?—I think it will be good for the trade union movement on the whole.

50. Do you think that national politics will enable trade unions to flourish ?—There are no national politics better than labour politics. They are the best politics

51. As regards these labour unions, although you are for their representation you are against the representation of all other special interests such as university. commerce, mining, planting or landlord interests ?—Certainly I am against them with all the vehemence at my command.

52. I quite see that. Your memorandum is full of vehemence on any point that you have touched. (Laughter.) May we know the reason for your objection, apart from the vehemence ?—My reason is that election is a mere game with money in which the rich people can get themselves returned to the council by spending so much money. Even in our own Council it is full of capitalists, full of landlords and full of money lenders and lawyers and barristers. None is a labourite except myself.

53. Do you think it is a fair and equitable proposition to say that labour should have special representation but that the employers as such should have no representation at all ?—Employers as such can have representation through the general constituencies very easily whether they are Muhammadans, Hindus or Sikhs; but it is next to impossible for a labourite to be returned through a general constituency.

54. Can you tell me how many men who are owners of factories are elected members of the present Legislative Council ?—Yes. So many of them are owners or shareholders of factories.

55. I am speaking of proprietors of factories and not shareholders ?—Our Minister for Agriculture is a big factory owner.

56. I am only asking for the number ?—There are about 40 or 45 members (Voices: No, No) who are either factory owners or people having shares in factories.

57. Anybody might have the misfortune to have a share in a failing concern. I am not talking of them. I only want the number of proprietors of factories who are elected members of the Punjab Legislative Council now ?—I think there are about 7 or 8 such members.

58. These you can strictly call commercial representatives as such ?—No, no. I take my stand on the fact that these factory owners can get themselves returned through the general constituencies.

59. Feeling so much for labour, would you not agree that it would be very much better if you and I should not represent labour in the council, but that the actual toiling and turmoiling classes should be represented there by their own representatives ?—At present, Sir, the labour movement is in its infancy and the workers are illiterate. They do not understand what to do. Therefore people like me have to go to their rescue. A time will come when they will disown us and will go to the Council themselves.

60. But is there not the danger that at this initial stage people,—I do not speak of Punjab only—want to exploit labour by getting into the Council in their name although they have nothing to do with the actual working conditions ?—I may tell you, Sir, very frankly, that nobody can exploit labour. They are shrewd enough to know who is their best representative and who will advocate their cause best. Therefore they may be trusted to elect their sympathiser whether he be a barrister or anybody else.

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61. *Mr. Tambe:* You are in favour of adult franchise to be worked through the group system ?—Yes.

62. You have stated under 'Election of Secondaries', the following: 'Every one who might want to become a secondary should get a group of 5 or 10 primaries as the case may be'. Am I to understand that you suggest that, if a man wants to come up as a secondary, he has to collect his group of 5 or 10 ?—Yes.

63. Then you say under (*j*), 'I am not in favour of any other special qualification for the secondaries than that for the primaries'. You do not thereby say that education should be a necessary qualification, *i.e.*, the possession of a certificate of educational qualification should be a necessary qualification for the primaries ?—No.

64. When you say adult franchise, you mean that right of vote should be given whether the voter is literate or illiterate ?—Quite.

65. You say you are not in favour of any other special qualification for the secondaries than that for the primaries ?—Yes. The qualification for a primary should be that he should be 21 years of age or over, that he should be an adult; and for the secondary also it is the same qualification.

66. And a secondary will be eligible to be a candidate ?—Yes, as a primary will be eligible to be a candidate for the secondary.

67. Under (*d*) you say, 'This (educational) qualification is only necessary for a candidate who must be, by the way, a secondary voter'. I do not understand this ?—My point is this, that every adult will be a primary voter, ten primaries will elect a secondary, and out of those secondaries there will be a candidate. The candidate must be a secondary.

68. But any secondary will not be eligible to be a candidate ?—If there is anybody who wants to become a member of the Council, and if he is not able to get himself elected as a secondary, then he is not entitled to come to the Council at all.

69. Every secondary will not necessarily be eligible to be a candidate ?—Every secondary will be eligible for candidature.

70. Why do you say that educational qualification is necessary for a candidate ? You say 'This (educational) qualification is only necessary for a candidate who must be, by the way, a secondary voter'?—I quite follow it now and my answer is this, that I do not want any member of the Council to be an illiterate person. We have got so many illiterate men in our Council; and I may say from experience that it is better to have no member in the Council than to have an illiterate member. So I say that every candidate for the Council must at least be a literate secondary.

71. So that every secondary will not necessarily be eligible to be a candidate ?—No.

72. You favour the direct franchise and the group system ?—Yes.

73. Would you limit that for labour ?—I would prefer that the representatives of labour should be elected through the trade unions because that is a better method of election for labour than any other.

74. Why do you not say that the labourers should form themselves into groups and elect their secondaries, and the secondaries should elect their candidates ?—That is only if it is administratively possible, not otherwise. If our Government is prepared to make arrangements for direct election, I am for it.

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75. *Lord Dufferin :* As far as I can make out, you are going to have two elections, one for the trade unions and the second for the workmen who are not on the trade unions ?—Yes. That is only as a matter of expediency because, if all the workers are organised, then I would like them to return representatives through their respective bodies but as there are so many workers who may not become members of trade unions, I suggest as a matter of expediency that they may return members outside the unions.

76. You have not explained why you want two elections. Why don't you have one ? Why don't you combine all workers instead of separating them ?—My reply is that the best elections will be through the trade unions, because they are the mouthpiece of the workers; they will represent those members. As some workers may not decide to be members of the unions, I say 'let them return candidates through the ordinary elections'.

77. You told us that trade unions are not communal. You yourself agree that trade unions are composed of some depressed classes. It is very difficult to

separate the two ?—Not at all. Although I was born in a Mussalman family yet I have never subscribed to Mussalman politics.

78. Do you subscribe to depressed class politics ?—Yes, from the economic point of view, I have got every sympathy. But from the point of view of religion, I have got nothing to do with them.

79. You want to give the vote to trade unions. Would you give the vote to the Kalka Motor Transport Workers' Union ?—That union was organised by me in 1930, I think. It ceased after only three or four months' working.

80. But I am trying to find out to which unions you would give the vote.—I would like to give the vote to the General Workers' Union, the Khewra Salt Labour Union, the Tarki Lime Stone Factory Workers' Union, the Punjab Miners Conference, the Punjab Motor Drivers' Union, the Shahdara Mills' Workers and Workshop Employees' Union, the Punjab Carpet Factories Workers' Union and so on.

81. These unions are not registered ?—Whether registered or not registered, I would give them the vote.

82. It does not matter what percentage of workers in an industry were in the trade union ; you would give them the vote irrespective of that ?—That I would do, as recommended by the Whitley Commission at page 464 of their Report.

83. Suppose there are 5,000 workers in an industry, and the trade union (for that industry) consists of 10 men, would you give that union the vote ?—Certainly.

84. There are about 9,000 members of trade unions out of what you call 5 lakhs of industrial workers. Supposing you give 10 seats or 5 seats to labour, how many seats would you allot to trade unions and how many to the other workmen ?—I would like it to be done like this. Wherever there are trade unions the tribunal to be set up in accordance with the recommendations of the Whitley Commission would decide the number of votes to be given to each, and then the matter will be decided accordingly.

85. How many seats would you give to trade unions out of 5 ?—As many seats as will be found to be just. It will be clear, Sir, if I read the recommendation.

86. I know it. It does not elucidate the point at all. I am asking you how many votes the trade unions should have out of 10 in this province ?—I am nobody to give the number of seats. It is for the tribunal to give. I do not want to function as a tribunal.

87. *Lord Dufferin :* I have asked you three times. How many seats you think the trade unions ought to have out of 10 in this province ?—I have not considered that question at all.

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88. *Mr. Butler :* You base your claim for representation by trade unions on the ground that trade unions are fulfilling a useful function ?—Yes.

89. Are you aware that in the latest report of the Registrar of Trade Unions —I am considering the remarks of Mr. Bakhale about the conditions of labour in the Punjab—it is stated that no improvement took place, nor was there any beneficent scheme for the amelioration of the conditions of workers taken in hand. Is it so ?—That is wrong.

90. The report of the Registrar is not correct ?—Absolutely incorrect. He is not in touch with us. He never consults us when he writes his report. Therefore I think they must be his own feelings and not the feelings of the labourers. He is Director of Industries first and everything else afterwards. He is not in touch with labour at all.

91. Would you differentiate between unions such as railway unions and the other unions in the matter of giving representation ? The railway unions are already approximately representative, whereas the others are not ?—Each union is representative of the workers. It cannot be said that only the railway union is representative and not other unions.

92. The strength of the union may be very small and yet the union would be representative ?—Yes, absolutely.

93. *Mr. Bakhale :* One point arising out of the question put by Mr. Butler In the same report it is stated that the majority of the unions exerted themselves in the representation of their grievances to the employers, which in some cases were suitably redressed.

94. *Major Milner :* We have previously congratulated other gentlemen who have presented memoranda to the Committee, and I would congratulate you on the most complete memorandum that has been submitted to the Committee.—Thank you.

95. I would just ask one or two questions. You stated that labour politics were the best politics. Now, are you a paid or honorary official of the Punjab Labour Board ?—Honorary.

96. Therefore any suggestion that it is necessarily by reason of self-interest that you have put forward your views which are not honest views is not correct ? —Absolutely.

97. Then the further suggestion has been made as to why your primary proposal with regard to the representation of labour should not be industrial constituencies so called, and it was suggested that individual workers, those engaged in the trade, might be put up and they would be the best representatives. Now, is there the slightest likelihood of the employers permitting the agricultural workmen even if they have the funds and organisation, to become elected as true *bonâ fide* representatives of the function of labour ?—He will be sacked in no time.

98. And would not the second thing be that the employer would put up his own representative ?—Or he might stand himself.

99. So that that suggestion is quite beside the point ?—Quite.

100. You have put forward two proposals for the special representation of labour. Which is the proposal you prefer, through Trade Unions or through an Industrial Constituency ?—Through trade unions.

101. Because as you have indicated they represent a particular function or interest ?—Yes.

102. With regard to giving a vote, I gather it is no concern of yours how it is given but you say it would be a matter for the Tribes who would elect to vote under the Whitley's proposals ?—Yes, absolutely.

103. Assuming trade unions were made a constituency for the special representation of labour, is it likely that women's trade unions will be set up ?—There is one Trades Union for women already existing, The Teachers Union, and then we have got women members in the Workers' union.

104. Are there any women officials as members of the Committee ?—Yes.

105. If special representation is given to trades unions is it possible or likely that women might be elected through these unions ?—Yes, if they are capable.

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106. *The Hon'ble Mary Pickford :* I notice that there are over 7,000 women employed in registered factories in this province. Can you tell me in what industry the majority are employed ?—The majority are in textiles, wool and cotton ; there are some also in the leather industry and in salt mines.

107. Of course as you rely on the Whitley Commission report it is only the registered unions that ought to be the basis of franchise ?—I would like it to be given to the unregistered unions also.

108. You rely greatly on the Whitley Commission report ?—Not wholly.

109. These recommendations about women's franchise in which you recommend separate groups and separate electorates, they are the opinions of men ?—Women and men coupled with that of my wife.

110. Is she an industrial worker ?—She is Secretary of an Union.

111. She is not an industrial worker ?—No.

112. I think it is fair to say that the membership of the trades union is not representative of the women workers of this province seeing that there are 639 in one industry where there are over 7,000 workers ?—I might say this, that I am an advocate for women more than a woman would be.

113. Would you agree that registered trade unions in this province are not at present representative of women workers seeing that there are 639 members from one industry (and that not the most important) out of over 7,000 ?—Technically you are right.

114. It is no doubt due to that fact that you say you don't agree with those who suggest that only members of Trade Unions should be enfranchised ?—Yes.

115. *Sir Sunder Singh Majithia :* I don't want to controvert any of your statements but I want to know if you would like your member to represent all the trade unions, to have power to nominate and do everything ?—No, I would not like to deprive any individual of the right of an opinion. Election is an education in itself. I want to educate workers into the belief that unless they interest themselves in political institutions they will get no representation. I should like every member of the union to recommend a certain representative to be elected by the body itself.

116. Do you think that in giving a vote to a union all the members will individually vote in that constituency ?—They will individually consider who should be elected and returned to the Council and who would be the best worker in the council.

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117. *Pandit Nanak Chand :* In your memorandum you say, "the high caste Hindus, Muslims and Sikhs have always got themselves returned by securing their votes". This is with reference to the depressed classes. Is that your considered opinion ?—Absolutely.

118. And the same will happen in the Council elections ?—Absolutely.

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119. And you say that the depressed classes are politically too backward and economically too poor to assert themselves against the Pandits and Syyadis and Jats and Arains and this is one reason why their special representation is opposed by the Hindus, Muslims and Sikhs ?—Yes. I would add this, that my list is not exhaustive.

120. Supposing your indirect system is not accepted, what qualification would you propose to bring these various depressed classes or backward classes which are to be found amongst the Hindus, Muslims and Sikhs on to the electoral roll ?—I would not subscribe to any other qualification than the one which I have advocated in my memorandum. I would stick to adult franchise. If I am not able to get adult franchise I would not like to have any property or educational qualification.

121. Leaving aside property and education, can you suggest any other qualification such as the wage-earning capacity, payment of a professional tax, receipt

of a pension from the Government in the case of civil servants and service to the Military Department, etc. ?—In case adult franchise is not accepted then I will certainly have, so far as the labouring classes are concerned, a certain amount of wage-earning capacity as the qualification.

122. And payment of tax on the income not derived from the possession of property ?—I am absolutely against taxes.

123. If a man does not own property but makes an income out of his brain and pays a tax to the local board or the municipal committee or the provincial Government, will you give him the vote ?—I would fix the qualification on the earning capacity and not the capacity of the payment of taxes by him.

124. The payment of taxes is a definite method of knowing that a person is earning at least so much ?—Not at all. Sometimes people earn Rs. 10 and they pay Rs. 20 as tax and sometimes people earn Rs. 2,000 and pay only Rs. 5 as tax.

125. In your memorandum with regard to the election to the Legislative Assembly you make a new suggestion. You say "the members of the Provincial Council should elect members of the Lower Chamber from amongst themselves". That is to say, after they have been returned they should elect Federal Assembly members from amongst themselves ?—Yes.

126. Not outsiders ?—No. That is the recommendation of the Simon Commission.

127. *Khan Bahadur Shaik Din Muhammad :* When you ask for special representation do you mean it independent or out of the communal quota ?—Absolutely out of the communal quota.

128. Would you like to decrease the communal quota according to the proportion of the community of labourers entered on your rolls ?—A member returned for labour, if he is a true labour representative, is neither a Muslim, nor a Hindu nor a Sikh.

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Memorandum submitted by the RAMGARHIA CENTRAL FEDERATION.

FRANCHISE PROBLEMS.

The present bases of Franchise in the opinion of the Federation are not only a source of discontent for those who are kept out of Franchise, but are also responsible for accentuating not merely class hatred but also for creating and widening more or less unjustifiable gulf within communities having a mutuality of interest created by the Alienation of Lands Act in the Punjab. The Federation, therefore, holds that either a radical change in the bases of Franchise or the creation of new bases enabling non-agricultural communities to participate in the Government of the country is absolutely essential. If a large section of the population is entirely debarred from acquiring the Franchise it can only lead to bitter acrimony with the only result of landing everybody concerned in trouble. The Federation believes that real progress in the country can only be made by giving equal rights and opportunities to all classes of His Majesty's subjects and they expect the Government of his Imperial Majesty to lead the various classes of people residing in India on the path of Progressive Self-Government without distinction of caste, creed or profession. The question of women suffrage should, in the opinion of the Federation, find equal favour with the Government. Though the Federation would uphold joint electorates and all possible extension of the Franchise adult suffrage being the goal, yet they believe that under the conditions at present obtaining in India such a course may not be practicable. The Federation profess to represent non-Agricultural and Labour interests, but they advocate the urgency of the adoption of

measures for the protection of vested industrial interests whether it be through the formation of an Upper House both in the Provincial as well as in the Federal Legislatures or through a reservation of seats for such interests. In the present financial depression India's one need, in their opinion, is the importation of foreign capital preferably British, to foster and nourish India's Industries in co-operation with Indian capital on an equality basis. The Federation believe that the prosperity of Labour and the welfare of Industry are interdependent and therefore, while on the one hand they plead for an adequate representation of labour on the Legislatures they also advocate the safeguarding of Industries.

In order to elucidate the view point of the Federation the following illustrations would be found helpful. Under the present system of Franchise in the rural areas a man holding 25 bighas of land has a right of vote, but a man who is earning 19 hundred rupees a year and does not hold any land is not entitled to vote. The man with 25 bighas of land averages hardly 150 rupees as income for the whole year. Thus a man who earns about thirteen times more has not only got no vote but also has not the hope of acquiring it because of the Alienation of Lands Act if he happens to be a non-agriculturist. Representation to non-Agricultural class is thus absolutely denied. The result is that out of the 13 elected seats in the Punjab Legislature held by Sikhs 12 are occupied by Agriculturists whose total strength in the community is below 50 per cent.

The answers given to the Questionnaire of the Franchise Committee have been given in the light of the views outlined above.

PROVINCIAL LEGISLATURES.

1. EXTENSION OF THE FRANCHISE.

(*a*) While retaining the land revenue bases of Franchise we would suggest that it should be lowered to Rs. 25 and in addition we suggest that the payment of the Professional Tax levied by Local Bodies should also be made the bases of Franchise. If in the lowering of the land revenue Franchise be considered inadvisable we would still request that the Professional Tax be made a new basis of Franchise because that is the only way in which non-agricultural classes can have the Franchise. It may be noted here that the Professional Tax is a sort of local rate in another form. The local rate is payable by agriculturists to local bodies and the Professional Tax is payable by non-agriculturists. The agriculturist who pays Rs. 25 land revenue, which is the present qualification of the Franchise in rural areas, hardly pays two rupees by way of local rate. By lowering the revenue qualifications to Rs. 5 those among agriculturists who would not be qualified if Rs. 2 local rate were to be the basis would get the right to vote. The lowest rate of professional tax is Rs. 2. We maintain, therefore, that all those who pay professional tax irrespective of amount would be given the Franchise. This is the least that the government could do in all fairness. We would also suggest the introduction of a literacy standard for the acquisition of the Franchise. In the opinion of the Federation the primary standard for the time being would do.

(*b*) Yes, the numbers thus enfranchised would certainly be able to cast an intelligent vote because we can say that *professional tax* payers have already had some experience of voting in elections to Local Government.

(*c*) Yes, it will be possible to manage such large electorates in the matter of preparation, maintenance and the revision of the electoral rolls as well as the recording and counting of votes. We would suggest the utilization of the services of private persons specially retired government servants.

(*d*) Need not be answered.

(*e*) We do not consider it either practicable or desirable to enlarge the electoral rolls further than by enfranchising 10 per cent. to 15 per cent. of population.

(*f*) The Federation believe the group system of indirect voting is against the principle of democracy and could not be called expedient on the score of expense as well. Such a system would not conduce to the advancement of political consciousness, among the masses in rural areas generally.

(*g*) If for any reason it is thought to introduce the group system the Federation consider it detrimental to the best interests of the country to convert group electoral constituencies into close preserves.

(*h*) No.

(*i*) No.

(*j*) No.

2. FRANCHISE QUALIFICATIONS.

(*a*) The Federation believe that there is marked disparity in the operation of Franchise qualifications in the rural areas. In our answer to question No. I (*a*) on Extension of Franchise we have given our views on the matter of rectifying the existing disparity. The literacy test could be made applicable to both rural and urban areas.

(*b*) No. We are not in agreement with the suggestion contained in question (*b*). We maintain that the allotment of seats to the *various communities should be commensurate with their voting strength.* If for any reason, however, seats are allotted on numercial strength an uneven lowering of the Franchise both on property and personal qualifications will have to be resorted to which will naturally be resented. It could be possible only when separate electorates are retained. In no other case the system could be enforced without causing bitterness.

(*c*) Yes. Possession of property of some kind is in fact the only test suitable in India. Though of course the literacy test would also be found workable. The existing property qualifications are too high and of course modification will have to be introduced like the one suggested above in the form of payment of professional tax.

(*d*) Yes. Literacy qualification had already been submitted as a suitable qualification and what we mean by this is that this qualification should be independent of property. The primary standard will in our opinion meet the requirements of this case.

(*e*) Yes. We are in favour of retaining the existing military qualification and would also like it to be extended so as to include service in Auxiliary and Territorial forces. The Punjab being a martial Province must have its *ex*-army men qualified for votes. We would, however, suggest that non-combatant ranks also be given the Franchise.

3. WOMEN'S SUFFRAGE.

(*a*) The Federation is in hearty accord with the proposal of the Statutory Commission to enfranchise the wives and widows of men entitled to vote under the property qualifications but would suggest that the age limit be brought down to 21 years in both cases. On the literacy test also women over the age of 21 could be enfranchised. We are in favour of granting franchise to women to the extent of bringing the total percentage of voters to 10 to 15 of the whole population both male and female.

(*b*) We are not in favour of the group system of voting but if the introduction of the same is considered advisable on any grounds, we would suggest groups composed of both men and women.

(*c*) If entry for women into the council is not otherwise possible the co-option of women members could be favourably considered.

Memorandum by the RAMGARHIA CENTRAL FEDERATION. [*Concluded.*

4. REPRESENTATION OF THE DEPRESSED CLASSES.

In the Punjab there is very little of the Depressed class problem and the mania of untouchability is not as much rampant here as may be found in certain other provinces. Whatever the so-called Depressed classes are in the Punjab they would get tolerable representation under the extension of the Franchise proposed by us. We are not in favour of applying the group system even in the case of untouchables.

5. REPRESENTATION OF LABOUR.

(*a*) We would suggest the fixing of 15 rupees monthly wage as property qualification for labourers in Industrial centres. The method of voting should be direct in the case of labourers also.

(*b*) In the case of farm labourers we would suggest that any labourer who is working on a field twice the size of that the revenue assessment for which would qualify the honour (? owner) for a vote may be enfranchised. In the case of factory labourers we would like them to be placed in the non-agriculturists voters list.

5-A. REPRESENTATION OF SPECIAL INTERESTS.

Yes. We are in favour of the retention of representation for special interests. But in this connection we beg to suggest that special interests, especially of the *vested kind*, should be moved to the Upper House if the legislature is bi-cameral. In such a case we maintain that the Lower House should have the last word on every piece of legislation. For instance the Upper House should be powerless to veto any Bill that stands three successful readings in the Lower House. In our view labour should essentially and especially be represented in the Lower House.

II.—FEDERAL LEGISLATURE.

6. ALLOCATION OF SEATS TO BRITISH INDIAN PROVINCES.

(*a*) We agree with the proposal of the Federal Structure Committee regarding the election of the Upper Chamber for British Indian provinces.

(*b*) Yes. We are of opinion that there ought to be different Franchise for Federal and Provincial Legislatures. The present qualifications for the Provincial Legislatures could be retained as those for the Federal Legislatures.

(*c*) We would suggest the retention of the direct system of voting. We are conscious of the difficulty which confronts the candidates in canvassing but there seems to be no way out of it. But we also feel that the enlargement of the number of seats as proposed would reduce the areas of the constituencies and that would be less difficult to handle than at present.

7. REPRESENTATION OF WOMEN, LABOUR AND DEPRESSED CLASSES.

Our view on the representation of the women, labour and depressed classes expressed under the heading of the Provincial Legislature holds good here also.

GENERAL.

As stated at the outset of our submission the Federation beg respectfully to draw the attention of the Honourable Members of the Franchise Committee to an aspect of the Franchise problem which is peculiar to the Punjab alone. The Punjab Alienation of Lands Act has created an invidious distinction of agriculturist and non-agriculturist in the main religious divisions. The proposals with regard to the extension of Franchise to non-agriculturists have been made without consideration to the communal problem and have been made in the interests of a class of people whose rights under the existing Franchise system have been ignored altogether.

Memorandum on behalf of the Sikh Community submitted by Messrs. SHIVDEV SINGH, B.A., LL.B., New Delhi; SAMPURAN SINGH, M.L.C., Bar.-at-Law, Lyallpur; UJJAL SINGH, M.A., M.L.C.; MIAN CHANNU; JAWAHIR SINGH, M.L.C., Advocate, Lahore; HARNAM SINGH, M.A., LL.B., Advocate, Lahore; Dr. NAND SINGH, Consulting Industrial Engineer, Phillaur and Sardar JODH SINGH, M.A., Khalsa College, Amritsar.

I.—PROVINCIAL LEGISLATURE.

1. Extension of the Franchise.

1. (A) The existing franchise may be extended so that every person of not less than 21 years of age shall be qualified to be an elector if he—

(*a*) owns land assessed to annual land revenue of at least Rs. 15.

(*b*) is a village official—a Zaildar, Inamdar, Sufedposh or Lambardar.

(*c*) enjoys assignment of land revenue annually of at least Rs. 30.

(*d*) is a lessee or tenant of crown land at an annual rent of at least Rs. 15.

(*e*) is an occupancy tenant of land assessed to annual land revenue of at least Rs. 20.

(*f*) is a retired pensioned or discharged Commissioned or non-Commissioned Officer or soldier of the Indian Army.

(*g*) is assessed to income-tax.

(*h*) is assessed to any tax rate or cess annually of at least Rs. 30.

(*i*) is assessed to *Haisiyat* tax on an annual income of Rs. 400.

(*j*) owns immoveable property of the value of not less than Rs. 3,000.

(*k*) pays house rent annually of at least Rs. 72.

(*l*) is or has been a member of a local body.

(*m*) has passed Matriculation or Honours examination in any vernacular or classical language.

(*n*) is the wife of a voter or the widow of a person who at the time of his death was a voter.

(B) Yes. Such an electorate will be capable of casting an intelligent vote.

(C) and (E). The present electoral machinery will have to be strengthened to cope with the increased numbers, but with a little increase in the time of voting and keeping the convenience of voters in mind, fixing the time and places of voting in such a way as to keep the officials fully occupied for the whole time, we think double the number of polling booths will suffice if we enfranchise ten per cent. of the population. But beyond the figure, we are afraid the electoral machinery, that can be set up at present, will not be able to cope with the elections and will break down under the sheer weight of numbers.

(F) If this suggestion was adopted the number of voters to vote in the direct secondary elections would increase to a much higher figure than 10 per cent. of the population and it would entail a good deal of expense to manage the elections and add to their difficulties. Besides the suggestion would be subject to all the objections to the practicability of immediate adoption of adult suffrage except that of numbers. It would not prove of any great advantage to those for whom it is intended. The small land holders and agricultural labourers, situated as they are, cannot for a long time to come shake off the influence of big land holders in the villages, and hence the character of representation will be affected very little by this device. It is sure, on the other hand, to disturb the harmony of the village. We are, moreover, opposed to any system of indirect elections.

Memorandum on behalf of the Sikh Community. [*Continued.*

(G) We are strongly opposed to separate group constituencies and also to separate election for such constituencies. There is enough class feeling in India already and we are not in favour of creating a new class with separate rights.

(H) We do not consider the suggestion to be feasible. We are against the system of indirect elections. The present system having been in vogue for a sufficiently long time in local bodies as well as legislatures is understood by the people and there is no valid reason for a change now to a new experiment.

(I) and (J) do not arise.

2. FRANCHISE QUALIFICATIONS.

(*a*) Lord Southborough's committee deliberately enfranchised a higher proportion of urban population. They sought to justify their proposal by the higher standard of wealth and intelligence in the towns. This argument still holds good. But we think the disparity between urban and rural voters is too great. Under the existing arrangement in the Punjab 6·4 per cent. of the urban population is enfranchised against 2·8 of the rural. We have, therefore, suggested a lowering down of the franchise qualification in the villages. The lowering down of property and rental qualification will not raise the number of urban voters, because the value of property and rents have gone down to a lower level than the proposed lowering down of these qualifications. Our proposals will, therefore, go a long way to remove this disparity.

(*b*) We are strongly opposed to any idea of raising voting strength of any one community by artificial means. The result cannot be achieved without introducing different qualifications in different parts of the province—a proposal to which the Statutory Commission was opposed. There should be uniform qualifications for all classes and communities in all areas of the Province. With the gradual extension of franchise, population proportions will come to be reflected in the electoral register. There appears to be no valid reason for adopting special contrivances to secure that result, which will only lead to bitterness and resentment in certain sections of people of certain parts of the Province. Besides it is altogether unnecessary as long as separate electorates are maintained.

(*c*) Yes. The existing property qualifications as modified above are suitable as basis for the present.

(*d*) Yes. Matriculation and Honours examination in any vernacular or classical language.

(*e*) Yes, but we do not want any extension.

3. WOMEN'S SUFFRAGE.

(*a*) We agree with the proposals of the Statutory Commission under this head but the age limit should be 21 as suggested by the Franchise Committee of the Round Table Conference.

(*b*) We are opposed to group system for men as well as for women.

(*c*) We are in favour of the suggestion made under this head.

4. REPRESENTATION OF THE DEPRESSED CLASSES.

There is no serious problem of untouchability in the Province. Amongst the Muhammadans and Sikhs there are no such classes, and even amongst the Hindus a great and increasingly successful effort is being made to remove their social disabilities. To give them separate representation in the Punjab would perpetuate their inferiority without giving them an effective voice in the legislature. In the Punjab Council they have already got a member and with the extension of Franchise their effectiveness will be increased.

Memorandum on behalf of the Sikh Community. [*Concluded.*

5. REPRESENTATION OF LABOUR.

(*a*) With the widening of the franchise the labouring classes will in future exercise greater influence on elections. In urban areas almost all skilled and many of the unskilled labourers will be brought on the electoral register with rental qualifications reduced to Rs. 72. The qualification of *Haisiyat* tax will bring rural skilled labour on the list. They will consequently exercise their full influence in voting. In the Punjab the province being not much advanced industrially, the Problem is not acute. Therefore one labour member as at present would be enough to voice the feelings and grievances of the labour classes and may be elected by recognised industrial unions of the province.

(*b*) There is no agricultural labour problem in the Punjab. No special representation other than obtaining in general electorates is required for them.

5-A. REPRESENTATION OF SPECIAL INTERESTS.

We want the retention of representation of the special interests already recognised in the Province, provided these seats are kept distinct from communal seats sa heretofore.

We think the present system is working satisfactorily in their case.

II.—THE FEDERAL LEGISLATURE.

6. ALLOCATION OF SEATS TO BRITISH INDIAN PROVINCES.

(*a*) We agree with the proposal that representatives of British Indian Provinces in the upper chamber should be elected by the Provincial legislatures by the system of single transferable vote, but the quota of representation of the various minorities should be fixed.

(*b*) We are of the opinion that the franchise qualifications for the Federal assembly should be higher than those of the Provincial legislatures.

We suggest the following qualifications for the Federal Assembly.

(1) ownership of immoveable property of the value of at least Rs. 10,000.

(2) or the annual rental value of at least Rs. 200.

(3) or ownership of land assessed to land revenue of at least Rs. 60.

(4) assignment of land revenue of Rs. 120.

(5) or lease or tenancy of crown land at an annual rent of Rs. 60.

(6) or assessment to income tax on an income of Rs. 4,000.

(7) or holding of a University Degree in art, science, law, medicine, commerce and engineering.

(8) being the wife of a voter or the widow of a person who was a voter at the time of his death.

We are in favour of direct election to the Legislative Assembly. People are used to this method since the introduction of the reforms scheme and have taken keen interest in elections in spite of the large size of communal constituencies, as is evident from the percentage of votes polled.

With the doubling of the number of members the size of constituencies will be halved.

In communal electorates the members keep in touch with their electors through various communal organisations. When joint electorates are introduced the size of constituencies will be very much reduced and members then can keep contact with voters through local associations. This is undoubtedly a more desirable system but must wait for an agreed settlement.

Dr. NAND SINGH, Mech. E., M.A., Ph.D., Representing the Ramgarhia Central Federation.

Professor JODH SINGH, M.A.,
Sardar SAMPURAN SINGH, M.L.C., Bar.-at-Law,
Sardar HARNAM SINGH, M.A., LL.B., Advocate,
Sardar SHIV DEV SINGH, B.A., LL.B.
Sardar JAWAHIR SINGH, M.L.C., Advocate.
} **Representing the Sikh Community.**

1. *The Chairman :* Dr. Nand Singh, the main point of your memorandum is the view that you express about the operation of the Land Alienation Act. Will you explain a little further how the Act has disfranchised certain categories of property owners and how the non-agricultural classes are not represented at all. The Committee would like to understand that ?—I have already given an example in the memorandum. Suppose a man owned about 25 *bighas* of land. His income at the end of the year would be about Rs. 150. He would have a vote. Another man who might get 13 times as much, but had not got land, cannot vote. He has not the qualification to vote. Consequently we feel it right that there ought to be some kind of basis whereby such people who do not own landed property should be enfranchised so that they could get their vote in the proper manner as the agriculturists do.

2. Your proposal is that it should be on the basis of the *haisiyat* tax ?—That does not cover our point of view. The professional tax is the best basis for those people who are non-agriculturists. It would bring better results so far as the non-agricultural communities are concerned.

3. In what form would you propose this professional tax ?—Through the local bodies or in any other form which the Franchise Committee may consider proper.

4. *Sir Sunder Singh Majithia :* Don't you think that the cess which the people have to pay to the District Board could be taken as the basis ?—It would probably do. But we have made a definite proposition and suggested that payment of the professional tax distinctly and separately may be made a qualification.

5. Professional Tax and the *Haisiyat* tax, I understand, are one and the same thing ?—Not exactly. *Haisiyat* tax, I consider, is a misnomer for the professional tax.

6. If we take that as the basis that will not cover your point ?—No.

7. *Sir John Kerr :* The *Haisiyat* tax, we were told yesterday, was the tax imposed by district boards on people who earned a certain amount in the year, Rs. 400 a year or it may be Rs. 200 in some cases. That does not meet your point ? —It does not.

8. Why not ?—There are a good many people particularly in the rural areas who have absolutely no means of showing their strength at the polls. If you take Rs. 200 as the minimum it is very difficult for non-agriculturists to show their strength. If you take Rs. 400 it would probably be very much higher. They earn Rs. 15 a month generally if they are working steadily, but work is not always to be found. Those people are therefore not in a position to put forward their point of view. It will be very difficult to say whether they do earn Rs. 200.

9. What limit would you suggest if you think Rs. 200 is too high ?—We have mentioned in the memorandum that Rs. 15 a month may be fixed as the qualifying wage for a labourer.

* * * * * *

1st April 1932.] Dr. NAND SINGH, Professor JODH SINGH, Sardars SAMPURAN SINGH, HARNAM SINGH, SHIV DEB SINGH & JAWAHIR SINGH. [*Continued.*

10. You say the lowest rate of professional tax is Rs. 2. What professional tax do you exactly mean by that ?—The tax which people like carpenters, blacksmiths and masons pay.

11. That is, the artisans ?—Yes.

12. Anybody who pays that ought to be enfranchised ?—Yes.

13. And where is that imposed ? Is that imposed in the towns ?—Through the local bodies.

14. In the villages also ?—Through the local bodies.

15. *Mr. Miles Irving :* Some district boards impose *Haisiyat* tax and others impose professional tax. They are very much the same thing in practice.

16. *Sir John Kerr :* Then you state under the heading 'Representation of labour' "we would fix Rs. 15 monthly wage as property qualification for labourers". How would you ascertain in practice whether a man got Rs. 15 or Rs. 12 ?—That means in rural areas or urban areas ?

17. Which do you prescribe it for ?—I cover the urban.

18. What about the rural ?—In the villages the ordinary landless labourer is paid to some extent in cash but very largely in kind.

19. What sort of authority would you have to assess the value of these payments in kind ?—The Patwaris probably would be the best judges.

20. You leave it to the Patwari ?—I would leave it to the Government organization such as it exists to-day. They are the best agency for the time being. I do consider the Patwari as part of the Government organization.

21. You would trust the Patwari to decide whether the income of the agricultural labourer was on the average equal to Rs. 15 a month ?—I trust the Patwari as much as I trust the Government because he is a member of the organization.

22. I want to know what Government officer is going to decide ?—The Tehsildar and his organization.

23. That is the Patwari subject to an appeal to the Tehsildar ?—Yes.

24. Do the Patwaris keep a record of wages at present ?—I don't think so.

25. That is the difficulty. You give him extra work ?—It may be an extra rupee.

26. What will you give to the Tehsildar ?—He probably will carry on.

27. Do the other members of the Sikh deputation support that proposal ?—(*Prof. Jodh Singh*) : We have got a separate memorandum* and our suggestions are contained therein.

28. That is the rental basis ?—That was the difficulty. When we talked about it, we could not fix the agency for deciding about the wages in kind. Hence we used the same agency in the case of the non-agriculturists as in the case of the agriculturists. If they pay land revenue that should be the basis, otherwise the *Haisiyat* tax.

29. In your memorandum you say : "with the widening of the franchise, the labouring classes will in future exercise greater influence on elections. In urban areas almost all skilled and many of the unskilled labourers will be brought on the electoral register with rental qualifications reduced to Rs. 72. The qualification of *Haisiyat* tax will bring rural skilled labour on the list. They will consequently exercise their full influence in voting". What is the rental qualification for an unskilled labourer ?—The rental qualification exists for the urban areas.

* Pages 60—62.

1st April 1932.] Dr. NAND SINGH, Professor JODH SINGH, Sardars SAMPURAN SINGH, HARNAM SINGH, SHIV DEB SINGH & JAWAHIR SINGH. [*Continued.*

30. You take the rent paid for the house ?—Yes. That is the rental qualification provided in the Punjab electoral rules.

31. Supposing he lives as a lodger ?—He pays rent.

32. He would not pay rent to the landlord. He would pay to the tenant of the house ?—In this country that system has not progressed so far. Generally the landlords get the rent directly from the lodger. We have not got such big landlords as in Europe.

33. Is there any record of the rents paid by sub-tenants in urban areas ?—When the election register is prepared they make a record of it. For municipal elections there is the record.

34. Supposing you are a lodger with another man ? You live in another man's house ?—We have not got that system at all.

35. About the *Haisiyat* tax. You bring the rural skilled labourer on the list, that is to say, the village artisan, the carpenter and the blacksmith and so on. Will they come on the *Haisiyat* tax unless it is reduced ?—Not everyone of them.

36. The present limit is Rs. 200 ?—They begin from Rs. 400.

37. If Rs. 400 is the limit that would not bring in the rural artisan ?—No.

38. Would you propose to reduce the limit ?—We are reducing the limit. I do not want to make a distinction between those who earn wage as labourers and those who earn by tilling the land. We have just given the same qualification for the landowners. A man who pays Rs. 15 as land revenue should be enfranchised and we have estimated that he earns about Rs. 400 and therefore a man who does not possess land but earns that much should be qualified.

39. You say the qualification of the *Haisiyat* tax will bring the rural skilled labourer on the list. If the minimum for the *Haisiyat* tax is Rs. 400, that would bring in very few skilled labourers ?—As a rule it is between Re. 1 and Re. 1-8-0 a day.

(*Dr. Nand Singh*): Not in the villages.

(*Prof. Jodh Singh*): Masons that we employ in the villages will at least earn that much per day. If they care to come on the list, they will come. Most of the skilled workers earn that much.

40. What about the unskilled worker ?—He would not come.

41. You don't agree with Dr. Nand Singh's proposal for fixing Rs. 15 for the unskilled worker ?—Because in the case of the landowners also we have not got Rs. 15.

42. Your proposal is to bring on the electoral roll only those skilled workers who earn Rs. 400 a year or more ?—In other words, we have fixed the property limit in the form of wages and in the form of other property. Beyond that we do not go for the present.

43. You fix it pretty high in both cases ?—That will enfranchise more than 10 per cent. of the population.

44. You will leave out all people who are earning less than Rs. 400 ?—I cannot help it; otherwise we must give adult franchise.

45. *Sir Sunder Singh Majithia :* Is it your reason for not wanting to enfranchise more than 10 per cent. of the population ?—There are two reasons. We have considered all sorts of classes living in villages. We have considered the cases of persons living on land, exercising professions, etc. We do not want that the qualifications in the one case should be lower than the qualifications in the other.

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1st April 1932.] Dr. NAND SINGH, Professor JODH SINGH, Sardars SAMPURAN SINGH, HARNAM SINGH, SHIV DEB SINGH & JAWAHIR SINGH. [*Continued.*

46. *Sir Muhammad Yakub :* Don't you think that the most appropriate way of enfranchising the people is to lay down the qualifications in such a way that the strength of population of each community should be reflected on the electoral roll ?—We do not think so.

47. You think that there is no harm if one community is over-represented on the electoral roll than another ?—What we want is a uniform basis of enfranchisement.

48. You will not mind it if a population of one community is not reflected on the electoral roll ?—No.

49. Don't you think that it will not be a fair way of preparing the electoral rolls ?—We do not think so.

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50. *Major Milner :* Have you considered the suggestion that those who claim the vote as wage-earners getting Rs. 15 and over a month should make an application to some appropriate official and that he should verify the statement and so on ?—That will be a very laborious task. An artizan would be working under me to-day and under somebody else to-morrow. How can any official verify any statement that he might make ?

51. Suppose we restrict it to people who are in permanent employ or at least have been there for six months as wage-earners ?—That again is difficult to work. You cannot also enfranchise the daily labourer on land. It would be difficult to have his income assessed. He is paid in cash as well as in kind.

52. In this province, as elsewhere, a census of wages is published and, in that census, the value of wages paid in kind is converted into cash. You can take that as the basis in the case of men who are paid in kind ?—I have not seen that census. At this stage I may say that you are prepared to agree to the enfranchisement of only 10 per cent. for the present. If we include all these classes, then more than 10 per cent. of the population will have to be enfranchised.

53. Let us assume that no such limit has been fixed. Will you agree to the enfranchisement of the wage-earning classes then ?—The machinery that will be required for the purpose will be very costly and the taxpayers will have to pay for it.

54. How do you suggest then that the teachers who are a large body should be enfranchised ?—They pay the *Haisiyat* tax.

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55. What percentage of them will come in ?—I cannot say. Most district board teachers get Rs. 18 and go up to Rs. 40.

56. That will bring in no teachers from villages ? Only senior teachers in village schools will be enfranchised ?—The rest, or some of them, will come under the educational qualifications. We have stated that Matriculation and Honours examination in any vernacular classical language should be a qualification.

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57. What about the agricultural workers—landless labourers ? How is any single agricultural labourer going to get the franchise under your proposal ?—He is not going to get the vote.

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58. What about domestic and other servants ? Can you tell me whether they would be qualified ?—They would not be qualified except when they live in cities and pay rent. On the wage-earning basis we have not gone beyond a certain limit.

1st April 1932.] Dr. NAND SINGH, Professor JODH SINGH, Sardars SAMPURAN SINGH, HARNAM SINGH, SHIV DEB SINGH & JAWAHIR SINGH. [*Continued.*

59. I suggested three classes of people, teachers, agricultural landless labourers and domestic servants who are not enfranchised under your proposals. They can only be enfranchised under either of the two systems, the group system which would include every category or the qualification based on the wage-earning qualification. With which do you agree ?—I do not agree with either. You say that labourers as such should be qualified, while we leave out of account even people who own lands.

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60. *Khan Bahadur Aziz-ul-Huque :* When you were answering Major Milner you stated that 10 per cent. is the limit under the proposed franchise qualifications ? Within that limit of 10 per cent., have you made provision for the proper representation of women in the communities ?—Yes.

61. What will be the proportion of women in the whole population ?—Nearly half.

62. You do not want to disfranchise any member who has already got the vote ?—No.

63. Are you aware that at present, in your community, roughly 10 per cent. is already enfranchised ?—I am aware of that.

64. Will you tell me how when you are lowering the franchise you will keep within the maximum 10 per cent. seeing that even when the franchise is not so lowered, you have got 10 per cent, enfranchised ?—The whole province is not inhabited by Sikhs.

65. What will be the effect of this franchise qualification on the Sikh community ?—Our proportion of voters to the total will be lowered. At present we are 25 per cent. of the voting strength.

66. No. I am not speaking of the total voting strength of your community. I am only thinking of your community so far as the population and the number of voters are concerned. Even to-day, under the restricted franchise qualifications, in rural areas 10 per cent. of Sikh males are enfranchised and, roughly 12 to 17 per cent. of Sikh males in urban areas are enfranchised. What will be the effect of the new franchise qualifications on your community, both as regards males and females ?—You may increase the proportion.

67. To what extent ?—I have not got any idea.

68. Your rural voting strength is roughly 1½ lakhs. They are mostly males ?—Yes.

69. What will be the total number in the future ?—We may have 73,000 more.

70. Males ?—Well, I think these statistics are for males only.

71. So, roughly it will be 225,000 males enfranchised under the proposed qualifications ?—Yes.

72. That will practically mean about 15 per cent. or even more of the Sikh community so far as males are concerned ?—May be.

73. What would be the difference between this and pure adult franchise so far as your community is concerned ?—Our population is 13 per cent.

74. You are enfranchising 225,000 males and an equal number of females. That means 4½ lakhs. What is your total strength in the country ?—I think it is 30 lakhs of which 15 lakhs are adults. I am speaking of Punjab only and not of the States.

75. Under your proposals 4½ million Sikhs will be enfranchised ?—Yes

76. And then there is a Sikh Landholders' constituency ?—Yes.

77. What is the qualification for it ?—Rs. 500 land revenue.

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78. When you want to retain special representation, do you want also to retain the same proportion between one community and another so far as landholders' representation is concerned in the future ?—Is that admissible ?

79. It is admissible because, under the special representation, you want to retain the representation of special interests ?—What I say is that the same proportion that now exists should remain. We are not going to give up what we have already got.

80. Am I correct in saying that so far as Punjab is concerned, the major part of the population is comprised of landlords, tenants, tenants-at-will and the non-agriculturists ?—Yes. They comprise the whole population.

81. What about tenants-at-will ? Will they be enfranchised under the qualifications you have proposed ?—No.

82. How can they be brought in ?—I have no suggestion to make with regard to them.

83. *Mr. Butler :* What are your suggestions regarding the upper chamber for this province ?—We do not want any upper chamber, because for the last 10 years we have been working with a single chamber.

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84. The memorandum presented by the President of the Ramgarhia Central Federation, Dr. Nand Singh, is different.—(*Dr. Nand Singh*) : We do want special representation and second chamber. If for some reason a second chamber could not be brought about, we want seats to be reserved for us, both in the Central as well as in the provincial legislature.

85. Special representation for what ?—For special industrial interests.

86. *Dr. Ambedkar :* In your memorandum, on the question of the representation of the depressed classes you have made an interesting remark about the untouchables among Hindus. You say that if you give them separate representation in the Punjab, it would perpetuate their inferiority without giving them an effective voice in the legislature. I would not argue with you about the first part of your remark, on the question whether it will perpetuate their inferiority or not ; but when you say that it would not give them an effective voice in the legislature, I would like to know from you your reasons for that statement ?—I understand that those who want to be treated as depressed classes separate from the Hindus have given their caste name as Adi Dharmis. From the census figures I learn that their proportion to the population is only 1·5, and therefore I said that if they get separate representation, they would get no effective voice in the legislature.

87. You have assumed that the Adi Dharmis are recorded in the census in the manner stated by you, and remarked that their population is so small that they will not get any sufficient representation. Suppose the depressed classes were taken from the census figures of 1921 when this question of Adi Dharmis was not in existence. Would your remark then apply ?—They were never considered to be different from Hindus.

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88. *Lord Dufferin :* Have you a rough idea as to what sort of wage the average labourer gets ?—They are paid six monthly. At the time of harvest they are given at so much per maund taken out of the field.

89. How much does it amount to ?—The labourer who works on the plough gets about one-fourth of the income. But one who does not work on the plough

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gets 5 seers per maund, and sometimes more. That depends on the work that is taken from him; that is fixed at the time of employing him.

90. You could not give any rough figure as to what he gets at the end of the year?—That differs always with the prices of produce. At the present rate, it does not pay the agriculturists; and naturally the labourer must be getting very low wages. When the rates are higher, he makes more. It may sometimes amount to Rs. 120; and besides, he gets paddy from the agriculturist.

91. All that makes it clear that it is extremely difficult to know what agricultural labourers earn.—That comes to Rs. 120 for an ordinary labourer.

92. *Mr. Bakhale:* May I know whether it is a fact that the Sikh community is a community which wants weightage for purposes of representation on the Council?—Yes.

93. And yet when the question of labour as an economic function comes up, you say that you would be satisfied with only one labour representative in the Punjab Legislative Council?—That should be omitted from our memorandum.

94. *Mr. Miles Irving:* The figures in the last Census show that the number of people who get their living by agriculture and pasture is 12 millions. And the number of ordinary cultivators out of these would be 10 millions; this number is, I take it, practically of the tenants. That leaves 2 millions whom I would be entitled to take to be living by agricultural labour and pasture and others. So that 1½ millions would be a reasonable figure representing agricultural labourers?—By ordinary cultivators you seem to mean tenants.

95. This 1½ millions represents the field labourers separately?—I would say that the major portion of these 10 millions are really proprietor tenants and not mere tenants, because the proportion of tenants in the Punjab, comparatively speaking, is very small.

96. I am suggesting that the number of field labourers or agricultural labourers would be somewhere in the neighbourhood of 1½ millions. We are anxious to provide for the agricultural labourer who does not fall under the land revenue qualification or the tenant qualification?—I think his interests are so much allied with those of the small landholders that, personally, I think it is unnecessary.

97. *The Chairman:* Do you think the estimate of the numbers is right?—It is difficult to say.

98. *Mr. Miles Irving:* I referred to the Census of 1921, and it is my impression that 1½ millions represents the figure of agricultural labourers apart from proprietors and tenants?—If you give the definitions of these headings we can give the figure. We must know on what basis the Census people grouped these labourers.

99. My only other question is as regards the possibility of estimating the wage value. We have several inquiries made, and it was found that the wage varies from place to place and crop to crop. Is it possible to say that the labourer gets Rs. 13, Rs. 14 or Rs. 15 a month?—I admit that it is very difficult to say. (*Dr. Nand Singh*): I think it can very easily be estimated in the way I have pointed out. There would not be such a material difficulty. These people ought to be enfranchised.

100. You may put it as a guess. It may relate only to the farm income of that year?—(No answer.)

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Mr. RAM LAL, Director of Industries, Punjab.
Mr. W. H. ABEL, Inspector of Factories, Punjab.

1. *The Chairman :* You have put in a report * on the working of the Trade Unions Act in the Punjab ?—(*Mr. Ram Lal*) *:* Yes.

2. Have you any knowledge of the number of Unions in this province that are not registered ?—I could not give you the exact number. I do not think there are any of importance.

3. Has the Trades Union movement, so far as your knowledge goes, been growing steadily or has it received a set-back owing to the economic depression or from any other cause ?—It has received a set-back because of the quarrels amongst the leaders of the movement. Last year for 2 months or so I was recording complaints and counter complaints from various leaders of the community.

4. Will you agree with the figures given of the actual number under the Factories Act ?—(*Mr. Abel*)*:* It is 49,000.

5. Of whom 16,000 are members of Trade Unions under the Factories Act ?—(*Mr. Ram Lal*) *:* According to the latest report the number is 9,931. It has fallen and is no better since then.

6. What are the main ingredients apart from the railways ?—The cotton and ginning factories workers represent possibly 8 or 9 thousand ; the flour mills 5 or 6 hundred ; the rice husking factories about 8 or 9 hundred. They are tabulated on the back of the report of the working of the Indian Factories Act.

7. *Sir John Kerr :* During the year that closed yesterday (31st March) has there been any material change regarding Trade Unions ?—I will get accurate statements by the end of July but from what I can tell you now there has not been any very great change.

8. *Diwan Bahadur Ramaswami Mudaliyar :* I see from this book that there have been a number of convictions of proprietors of these factories. Is that for not fulfilling conditions insisted upon for the welfare of the workers ?—Yes.

9. *Mr. Bakhale :* Since when have you been Registrar of Trade Unions ?—One year and eight months.

10. Are the number of registered trade unions greater or smaller this year ?—I think it is the same.

11. The membership is much larger ?—That is about the same again. A year before it was much larger. In 1929-30 it was 26,000. Last year it was only 9,900.

12. You have also given the reason why there are a lesser number of trade unions, namely, because they failed to send in their returns ?—Yes, they had not the money to pay the Auditor's fees and when we asked them to send in their returns they asked for their names to be removed.

13. I take it that the number of factories under the Act have increased. The number of factories annually registered contain the Sugar Corporation, Cotton Mills, Tannery works, and oil refineries ?—Those are some of the most important registered during 1931.

14. You have stated that wages have recently been going down on account of the depression ?—Yes, they are steadily going down.

15. The number of accidents has risen from 990 to 1,298 ?—Yes.

16. You have stated in your report that flour mills, oil presses, ginning factories do work for more than 10 hours a day ?—In some cases they do. We had 120 or 130 convictions during 1931.

17. You are also aware of the fact that there exists in carpet factories the system of mortgaging child labour ?—Carpet factories do not come within the Factories Act.

18. You know the evil exists ?—I have heard of it. I have no official knowledge.

* Not printed.

19. On the whole, may I take it that there are grievances of industrial workers which require to be remedied ?—Undoubtedly there are.

20. *Lord Dufferin :* We are given the figure of 4½ lakhs as being the number of industrial workers ?—I think it is impossible to tell. There are no records and as far as I know there is no machinery for collecting such information. It is very difficult to give even a conservative idea.

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21. *Mr. Butler (to Mr. Ram Lal) :* Mr. Ghani denied the truth of your statement that there was no improved development in the Trade Unions and there was no beneficial scheme taken in hand. He said you were not in touch with what was happening ?—He can please himself thereby. Even the report of the previous year is that the Trade Unions did nothing.

22. Reading your report where you say " wiser counsels prevailed", it shows that you were very closely in touch with affairs and that you did take care and trouble ?—In fact it took me full two months to take evidence and settle matters in the interests of labour.

23. I wanted to ask you whether you don't think that the work of the trade unions should be in remedying the industrial troubles and continuing their good work and that the greater work of amelioration of conditions should be the duty of the Government ?—As it is a matter of policy I will not express any opinion. I do not want to commit Government, but really if you want to give representation to Labour give it direct and not through trade unions. You have an instance of a trade union with 11,000 members which could not remain on the register because they could not get the accounts audited and they will be disfranchised because of non-payment of fees.

24. Would you be willing to consider representation for certain unions, such as railways, where there is more representation and where it is on an all-India basis ?—Unfortunately we have the instance of the North Western Railway workers ; they went off my register because of their failure to send in their returns in time.

25. Is it not true that no union in this province has made any subscription to political funds ?—No one has done so in the Punjab.

26. Under the Act there is a political fund and in the Government document in every case, not only in this province, there is a paragraph about the political fund. Surely they would be allowed to subscribe to the political fund when it comes under the terms of the Act. They may subscribe to it ?—(*Mr. Ram Lal*) : That is why we ask them specifically to state whether they are doing it or not.

27. Acquiring of political funds is in order and yet they do not subscribe to it in any single case ?—I can only state a fact that they do not do it.

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28. *Major Milner :* Have you read the Whitley Report ?—(*Mr. Ram Lal*) : Yes.

29. You have gone out of your way as a civil servant to suggest or give what is, I presume, your personal opinion that labour as a function or interest should not be given representation through trade unions. What are your reasons for that ?—I have already explained that with reference to the peculiar condition of the trade unions in the Punjab.

30. I have not appreciated that. Will you explain it again ?—As I explained to you, the trade unions in the Punjab are not as effective bodies as they ought to be or are expected to be. There are constant quarrels between the leaders of the movement and I made reference to the case of the N. W. Railway Workers Union which, although it had a membership of 10,170, went off the register of my

office simply because the Secretary or the functionaries of that particular body could not find money to.....

31. In your view they have not the status and responsibility that you think desirable if they are going to be a constituency ?—No. I think they come on the register largely through the admirable, I must say, action of their organizers, but the thing is not yet sufficiently well appreciated by the workers generally. They should be able to step in themselves. If you really want to give them representation let it be direct, so that by the negligence or default of.....

32. You say that the industrial workers should vote direct. Do you think there is the slightest likelihood of industrial workers being able to find money, to begin with to stand as candidates ?—I do not know why they should not.

33. What is the highest wage drawn by an industrial worker in Lahore ?—It varies from 5 annas to 2 rupees.

34. Do you expect that any single one of those will be able to find Rs. 500, Rs. 1,000 or it may be more—my friends in front can tell you better—required for election ?—If he is not able to.....

35. Who should represent labour in that case ?—People who work for labour and people interested in it.

36. You do think that workers and all those interested in the workers' interest should be able to stand for them ?—Yes.

37. Will you tell me any representative of workers interested in the workers' cause in Lahore, excluding our friend opposite, who is sufficiently affluent to fight one or more elections on behalf of labour ?—I see no reason why anybody belonging to labour should not be able to do it. I don't know ; I may be committing too much. That is my personal view. Don't you know that a sweeper has come on to the Punjab Council. He has been able to find money.

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38. Let us turn for a moment away from the economic position. Do you suggest that there are any or many employers of labour in this province who would willingly permit their employees to stand as labour candidates and to preach, for instance, nationalisation of the particular industry in which they were working. Can you conceive that ?—I don't know why they will stand against labour standing.

39. You have volunteered an opinion that labour should not be represented through trade unions. I suggest to you as the Registrar of Trade Unions that it is desirable to increase their status and responsibility as far as you can ?—That is right

40. You don't agree that very little special representation that is likely to be given to labour would increase their status ?—If you want to give them representation, give them a direct vote.

41. You know that the Whitley Commission recommended that representation through trade unions would improve their status and responsibility. Do you disagree with that view ?—If you want my personal view, I think, in the peculiar conditions of the Punjab it would be preferable to give them a direct vote.

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42. *The Hon'ble Mary Pickford :* Can either of the witnesses give me an idea of the number of women who are employed in the factories not registered under the Factories Act. In registered factories we were told that the percentage was 20 ?—(*Mr. Abel*) : I think the percentage is not greater than in the registered factories. In many of the small factories they are employed. In very big industries like iron works there are no women employed. In wool cleaning and cotton ginning there would be a fair percentage, I should think. The number in registered

factories would also represent those in unregistered factories. It is almost the same.

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43. *Major Milner :* Just one innocuous question. Would you say there is or there is not any organised labour in this province ?—Organised in the sense that there are a certain number of trade unions ?—Of course, those people are organised.

44. There is some organised labour ?—Yes, in the towns.

Memorandum submitted by the ANGLO-INDIAN AND DOMICILED EUROPEAN ASSOCIATION, Punjab.

As far as the special interest of the community are likely to be affected by the contemplated extension of the Franchise and the enlargement both of the Federal Legislature and of the several Provincial Legislatures which will be the necessary concomitant of such an extension of the Franchise, we opine the community may very justly have claimed an adequate share in the extension of the Franchise and adequate representation in the various Legislatures both Federal and Provincial on the specific qualifications of (1) literacy, (2) the wage earning capacity of the community, and (3) military service.

The percentage of literacy in the community is higher than that of any other community in India, while the average standard of education in the community compares favourably with the average now obtaining in the United Kingdom. Assuming therefore that literacy and a satisfactory average standard of education are acceptable as essential qualifications of the Franchise, we should, as a community on those grounds alone, be entitled to universal adult suffrage.

Further, *pro rata*, as a community our earning capacity and our value to the Indian Government as a taxable asset compares very favourably with that of any other community in India. In this connection we would draw attention to the fact that in the sense in which it was construed by the Franchise Sub-Committee of the Indian Round Table Conference and defined by the Chairman Sir W. A. Jowitt (*vide* page 89, volume VI, of proceedings of Sub-Committee of the Indian Round Table Conference "Sub-Committee" No. 6—Franchise) the earning capacity and income of a community constitute a "Property Qualification". It therefore follows that the application of this admitted test of the fitness of the community for elective representation constitutes a strong additional ground for a consideration of their claim to weightage in the extension of the Franchise now contemplated and to fuller representation on the enlarged legislatures which will result should our claims be based on the qualification of military service. We extract the following from a speech made by Sir Henry Gidney in the course of the proceedings of the Franchise Sub-Committee in December 1930—

> "I consider that military service should be accepted as a qualification for Franchise. By military service I mean service in both the British and Indian Armies, and in the 2nd line of defence attached to each Army, *viz.*, the Indian Auxiliary Force and the Indian Territorial Force."

In this connection we would draw attention to the fact that the Franchise Sub-Committee in London adopted a resolution recommending that the existing military service qualification should be retained and that this qualification should be extended so as to include service in the Auxiliary and Territorial Forces. Having regard to this resolution 25,000 men of our community serving in the Auxiliary Force are entitled by virtue of this service to the Franchise irrespective of other qualifications.

Memorandum by the ANGLO-INDIAN AND DOMICILED EUROPEAN ASSOCIATION, Punjab. [*Concluded.*

Apart from the question of the extension of the franchise the community is likely to be materially affected by the enlargement of the legislatures and here we would quote a relevant passage from the report of the Simon Commission—

> " As for Anglo-Indians we should much prefer to see the choice made by election than by nomination, as the general level of literacy prevailing in the community is such that even where its members are few and scattered the use of the post should make the method of election still possible. In so far as election is the course adopted it seems inevitable that separate electorates must be formed ; the numbers of the community are too small to make any other method possible."

And further—" As regards the number of Anglo-Indian seats it should be borne in mind that the object in view is to secure through the community an adequate opportunity of making its views known in the legislature through suitable representatives, no question arises of trying to elect seats on the basis of such factors as population and political influence."

The passages we have quoted amply indicate that the Simon Commission were duly impressed with the importance of securing to the community adequate representation on the various legislatures. In dealing with this report the Government of India in the relative despatch go even further inasmuch as they say :—

> " The community is faced with very special problems of its own. Its main interest may be summed up as entry to the services and education facilities."

We quote this pronouncement to indicate the precise interest which it will be incumbent upon the elected members of the community in the legislatures to promote and protect.

In regard to the enfranchisement of the women of the community as a very large percentage are wage earners, they possess the " property qualification " defined by the Franchise Sub-Committee in London, but in addition to this there are two qualifications on a consideration of which the women of the community should be entitled to the extension of the Franchise : *viz.* (1) our women are cent. per cent. literate and are educationally as well qualified as the men, and (2) unlike the other communities in India the women of our community are the equals socially of the men.

Recognition of the value of women to the community and the principle of civic equality was stressed by Miss Eleanor Rathbone addressing a public meeting on women's franchise recently in Calcutta. She appealed to women to ensure that in the new constitution they had women in the legislatures for she said " unless men and women worked together under the new constitution, India would not be able to make that quick progress which alone would enable her to take her place in the Comity of Nations."

LAHORE.

Dated 4th April, 1932.

PRESENT.

ALL MEMBERS OF THE INDIAN FRANCHISE COMMITTEE, EXCEPT SIR ZULFIQAR ALI KHAN, AND ALL MEMBERS OF THE PUNJAB PROVINCIAL FRANCHISE COMMITTEE.

Dr. (Mrs.) SHAVE, Representing the Anglo-Indian and Domiciled European Association, Punjab.

1. *The Chairman :* Mrs. Shave, you represent the Anglo-Indian and Domiciled European Association ?—Yes.

2. What is the number of Anglo-Indians in the Province ?—I have not got the figures because the census returns are not yet out. In any case, the census returns cannot be correct because a number of Anglo-Indians are registered as Europeans. That is what our community suffers from.

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3. You have now one nominated seat to represent the interests of Anglo-Indians and you are filling that seat ?—Yes.

4. Hereafter you want one elected seat ?—I want three. That is what the memorandum which has been sent down from Calcutta says. I would like to give you the state of affairs in the Punjab. Our community is in a state of flux here. They simply cannot grasp the problems facing them. They are living in absolute ignorance. You cannot get them together. That has been my experience of this branch during the last three years.

5. What representation would you, as a representative of the Punjab Anglo-Indian community, require in the new legislature ?—I should have two seats. The responsibility would be very heavy for one.

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6. I suppose this community is employed in Government services ?—Railways, Telegraph and Government service.

7. Those are the main sources from which they derive their livelihood ?—In those services also, an increasing number of them is unemployed. I interviewed five or six of them the other day. Some of them are starving.

8. That is very bad. Is it because of any special problem ?—There is a special problem. There are no Anglo-Indians employed as labourers. The European commercial man is the first to dispense with the services of Anglo-Indian clerks and substitute for them Indian clerks. The Anglo-Indian is losing his place in Government service and also in railway service.

9. You have no idea of the number of Anglo-Indians in the Province ?—I should say there are about 300 in Lahore. There is one endless chain of unemployed running through the whole of India. They go to their relatives and stay for a day or two and then form an endless procession to the Strangers' Home.

10. You want an Anglo-Indian electorate ?—It would have to be an Anglo-Indian electorate.

11. You could not be elected in any other way ?—We could not possibly be elected in any other way.

12. *Sir John Kerr:* Have you any idea of the method of election ?—It would have to be the direct system, and we want franchise for both men and women because women are equally well-educated.

13. I suppose they are very scattered ?—They are very scattered. Punjab especially, you know, is a spread out province.

14. Is there any particular way of getting them to vote otherwise than by post ?—It would have to be by post. Anglo-Indians are a poor community and it would be very expensive for them to go to any distant place for voting. It would be very much better to do it by post.

15. *The Hon'ble Mary Pickford:* As your community is literate, there would be no difficulty in having the voting done by post ?—I do not think it would present any difficulty at all.

16. Are women of your community employed in industries ? Are they mostly nurses ?—They go into commercial offices as typists to some extent. Otherwise they are nurses. There are a few doctors and teachers also.

17. The poorer women are not engaged in what are called industrial occupations ?—There are no such occupations for them at all.

18. Not even amongst the poorer women?—No.

19. *Mrs. Subbarayan:* It is not clear what the opinion of your community is as regards the method for the election of women to the legislatures. Will you tell me ?—I should think that the women representatives should have to be directly elected by women. I believe they are all in Government service and there is nobody outside to fill the seats in the legislatures.

20. Do you think that there should be special provision for ensuring the presence of women on the legislatures ?—I should think so. In no community do we see men anxious to give place to women.

21. Have you thought of any particular method to achieve this object ?—I am afraid I have not bestowed attention on it.

22. Do you suggest a separate women's electorate ?—Yes, but I have not considered the question.

23. You are the first woman to be nominated to the local legislative council ?—Yes.

24. Do you know if any woman contested the general constituencies in this province ?—An Indian woman in Sialkot contested and won, but she did not take her seat in the Council. She gave up the place to a man. She was not an Anglo-Indian.

25. She won the seat ?—Yes.

26. And did not take her seat ?—She took her seat, but gave it up soon.

27. *Sir Ernest Bennett:* The difficulties of your community rest largely on economic factors, in that the Anglo-Indians demand higher pay for their higher standard of living than Indians ?—The European Association said so in their memorandum to the Simon Commission. I say that is our heritage.

28. How do you expect the grievances of your community to be remedied by legislation ? Why do you seek a place in the legislature to remedy your grievances ? —Personally, I do not think our grievances can be remedied that way at all. I belong to an Association whose views I must put forward. Personally I think differently. We rely on the generosity of the Europeans and Indians to remedy our conditions. Our own people have not till this day fought our battles and tried to solve our economic problems.

29. *Sir Muhammad Yakub:* You want weightage for your community ?—On a population basis I do not think we will be entitled to a seat at all. I ask for two seats because the responsibility for one will be very heavy.

30. If you are to be given two seats, it would have to be taken out of the seats of other communities ; and, if each minority community wants more seats than it is justly entitled to on a population basis, which community will be the sufferer ?—You can fix it at a minimum of 2 seats for any community and you can increase the seats if you like.

31. How will you compose the Council in the Punjab ?—Have a minimum of 2 seats for every community, no matter what its size is. In the other cases go according to numbers.

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32. You do not want to take the share of your community from the share of other communities ?—I do not want that ; but at the same time, no community should be given less than two seats. The responsibility of one person representing a whole community would be very heavy otherwise.

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33. *Mr. Miller :* What would you suggest to be the minimum wage as a qualification for the vote ?—We have got thousands of unemployed. I do not know what answer to give. I do not know when they will be employed.

34. Can it be Rs. 100 ?—No. I should say that it may be Rs. 30.

35. *Mr. Miles Irving :* I should like to know from you where the Anglo-Indians stand at present ?—The European Association presented a memorandum to the Simon Commission, as I said a little while ago, in which they washed their hands of us completely and recommended that Anglo-Indians should adopt the Indian style of living. They say that we have adopted the European standard of living. But that is our heritage. I do not personally want to unite with the Europeans. We should have everything separate for the Anglo-Indians, Domiciled Europeans and imported Europeans. We should have one European community living the lives that are traditionally ours. Then there will be no problem to be solved and our burdens will be shared by everybody. I must put my case before Britain and India. They must solve my problem for me. We have at the bottom of our community a poor class of Indian Christians steadily increasing in numbers. They are coming up like that through generations. To weed them out now will be a cruelty. I am now asked to divide off my community on the basis of 2 per cent. of European blood up to 15 per cent. The European commercial community has not helped us to solve our problem. They are merchants and they only want to run their business economically and so they substitute for Anglo-Indians Indians whose standard of living permits them to draw lower wages. I do not want any help from them now.

36. On this subject of standard of living, may I ask if it is entirely different from the standard of living of what may be called the superior Indian clerk ?—It is materially different. I have visited very many Indian houses. Their standard of living depends on what they get.

37. *Pandit Nanak Chand :* I understand from your statements that your community men do not hope to enter Government service hereafter on account of the agitation of the Indians for Government posts. Is that correct ?—Yes.

38. You cannot hope to have posts in commercial firms on account of the competition of cheaper Indian clerks ?—Yes. I have put that down in the memorandum.

39. Has it ever suggested itself to you that you should take to land ?—Yes. There is a scheme now on foot to take the Anglo-Indians back to land.

40. Don't you think that the Land Alienation Act stands in the way of your doing so ? Under the Act, Anglo-Indians are not registered as agriculturists ?—I do not know whether we are able to buy lands.

41. You may take it from me that under the Act you cannot purchase lands. Supposing you want to purchase lands near a village you cannot do so ?—We do not want to go to the villages, for lands, where life is very primitive indeed.

42. You cannot buy lands in the municipal areas unless this disability is removed ?—If it means entering into the dispute that is going on between the communities here, I would prefer not to do so.

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Memorandum submitted on behalf of the INDIAN CHRISTIANS in the Punjab.

Proceedings of a meeting of the Special Committee of Indian Christians held on Monday the 29th February 1932.

The committee considered the questionnaire issued by the Franchise Committee and adopted the following reply:—

I.—PROVINCIAL LEGISLATURES.

1. EXTENSION OF THE FRANCHISE.

The Committee agreed with the Franchise Sub-Committee of the Round Table Conference that adult suffrage should be the goal to be attained. To increase the present electorate for the provincial legislature it is suggested—

(*a*) That votes be given to (*i*) all literate persons of both sexes ; (*ii*) to persons paying Rs. 4 per month as rent or possessing property yielding a rent of Rs. 4 per month ; and (*iii*) to persons paying Rs. 8 yearly as land revenue.

(*b*) Yes. The Committee trust that with experience and training this enlarged electorate will record its votes intelligently.

(*c*) Yes.

(*d*) Does not arise.

(*e*) Does not arise.

(*f*) The Committee favour the grouping of all adults not entitled to a direct vote. The group electors should vote in the same constituencies as the directly qualified voters.

(*g*) Yes.

(*h*) The time has not come for the suggested course.

(*i*) (1) A group of 20 would be suitable, to be constituted according to their, residence. Local authorities be charged with the duty of framing them.

(*j*) Same qualifications as in paragraph 1 (*a*) above.

2. FRANCHISE QUALIFICATIONS.

(*a*) Marked disparity does not exist. Whatever there is will be removed by the introduction of group system and lowering of the rental qualification.

(*b*) It is fair that the voting strength of each community be in proportion to its number.

In the case of (*a*) separate electorate no measure for giving effect to the above suggestion appears to be needed. In the case of (*b*) and (*c*) the group system should be so worked as to provide additional voters for the community having voting strength below the number of its population.

(*c*) The Committee have already expressed their opinion in paragraph I (*a*).

(*d*) The Committee have already suggested literacy as an independent qualification.

(*e*) Yes.

3. WOMEN'S SUFFRAGE.

(*a*) It is considered advisable that women be enfranchised only if they possess educational and other qualifications mentioned in paragraph 1 (*a*) above.

(*b*) No group be formed for women.

(*c*) The Committee agree to the suggestion of co-option of women members.

4. REPRESENTATION OF THE DEPRESSED CLASSES.

This question does not arise in this province as the number of Depressed Classes is not large.

9. REPRESENTATION OF LABOUR.

The Committee consider that the representative elected should be a member of the class represented.

5. (*a*) REPRESENTATION OF SPECIAL INTERESTS.

Only representation of University be retained.

II.—THE FEDERAL LEGISLATURES.

6. ALLOCATION OF SEATS TO BRITISH INDIAN PROVINCES.

Allocation suggested agreed to.

(*a*) Yes.

(*b*) No.

(*c*) The election to the Lower Chamber be direct.

In the case of Indian Christians three seats be given them. These may be contested in the following constituencies:—

(1) Ambala and Jullundur Divisions, and the Lahore, Amritsar and Gurdaspur districts.

(2) Rawalpindi Division and the Sialkot district.

(3) Multan Division and the Gujranwala and Sheikhupura districts.

7. REPRESENTATION OF WOMEN, LABOUR AND DEPRESSED CLASSES.

Women members be co-opted by the Federal Legislature.

Supplementary memorandum submitted by Mr. B. L. RALLIA RAM, Hon. General Secretary, All-India Conference of Indian Christians.

This supplementary memorandum to the one already submitted by the Punjab Indian Christian Conference deals with one or two matters not mentioned therein.

This memorandum is submitted on personal responsibility though in one or two matters it advocates the view of the All-India Conference of Indian Christians as expressed by it in its various annual sessions.

1. It may be pointed out that in the Minorities Pact reported in the proceedings of the second session of the Round Table Conference the Indian Christians in the

Memorandum by Mr. B. L. Rallia Ram. [*Continued.*

Punjab are allotted 1·5 per cent. of seats in the Punjab Legislative Council. This is slightly below the population ratio for Indian Christians which is a little over 1·6 per cent. The Anglo-Indians are given the same percentage of seats while their total number in the Punjab do not exceed 10,000 as compared with 392,000 of the Indian Christians. While "weightage" is being talked of for other communities it would appear that the Indian Christian Community is not even to receive what is due to it even on pure proportion. The Indian Christian Community has always held that they should have at least 3 seats in an hundred seats and at any rate I do not see how in any fairness there can be less than two.

While pointing this out I should state quite frankly that the writer does not thereby imply that he approves of the Minority Pact or that he desires separate electorates.

2. In this matter the position of All-India Conference of Indian Christians is as follows:—

It regards communal representation in any shape or form as pernicious to the growth of true Nationalism and therefore does not desire its continuance but it considers that if other Communities press for it and their demand is accepted then there is no other alternative for the Indian Christians but to accept this arrangement. However, they would desire that the representation of Communites be not by separate electorates but by reservation of seats in joint electorate. In case of Indian Christian Community if reservation of seats in any province by joint electorate is not practicable then some indirect form of election should be adopted. For instance the Indian Christian representatives may be co-opted by the elected Legislative Council through a system of proportionate representation out of the candidates nominated by the Representative Association of the Indian Christians or through a system of primary elections.

It should be made clear that under no circumstances will nomination be regarded as a satisfactory method. In fact the Indian Christian Association has gone so far as to say that they would prefer no representation if nomination is the only way open to them.

While putting forward this representative view it should be stated that personally the writer would even be willing to give up reservation of seats in joint electorate and stand for the ideal of Nationalism.

This memorandum also ventures to express the opinion that the solution of the problem may lie in the adoption of indirect method of election through primary electors. Briefly stated the scheme advocated is:—

(1) That several Electoral Colleges be constituted in the Punjab and that they should elect in plural constituencies the proportionate number of members by a system of proportional representation.

(2) To these Electoral Colleges the electors be elected by all adults.

(3) To give a concrete example:—

(*a*) There may be 5 Electoral Colleges, say for each Division. Each Electoral College should consist of one Elector for every 10,000 of the population and these electors should then elect jointly the number of members allotted to them.

(*b*) The population of the Punjab is 235 lacs. If one member is elected for every one lakh of persons the Council shall consist of 235 members. The popultation of Lahore Division is approximately 59 lakhs. It will thus have 59 members in the Council. These 59 people will be elected by one Electoral College consisting of 580 persons, each one of these electors would have been elected by a group of 10,000 people.

In case it is desired to have in the Electoral Colleges the same number of electors of each Community as their population ratio these electors may be elected by purely

communal groups but in the electoral college they would vote on a common ticket by some system of proportionate representation like the system of single transferable vote.

It may be desirable to have smaller Electoral Colleges.

It is hoped that if such a system is adopted the Indian Christians can find a fair field for them to exercise their citizenship.

Mr. B. L. RALLIA RAM,
Mr. K. L. RALLIA RAM,
Mr. F. D. WARRIS,
Rev. K. N. DINA NATH,
Mr. J. C. GHOSE.

Representing the Punjab Indian Christian Conference and the All-India Conference of Indian Christians.

1. *The Chairman:* You represent the Punjab Christian Conference ?—(*Mr. K. L. Rallia Ram*): Yes, and my brother B. L. Rallia Ram represents the All-India Christian Conference.

2. Do your views differ ?—Sometimes.

3. The number of Indian Christians in the province is 392,000 ?—Yes; the proportion works out to a little over 1·6.

4. How is the population distributed in the province ?—(*Mr. B. L. Rallia Ram*): The Lahore Division is the most populated and in some districts like the Trans-Sutlej and that side there are fewer Christians. Sialkot has the largest population, and then comes Lahore.

5. I understand that certain villages in this province are wholly Christian ?—Yes, some villages.

6. Are they mainly Protestant or Roman Catholic ?—One or two are Roman Catholic but they are very largely Protestant in the villages in the Punjab.

7. Assuming that some sort of special representation is to be given to Indian Christians, various suggestions have been put forward for the method in which they should be represented; one is separate electorates; one is joint electorates and the other is the indirect system or nomination in some form of co-option to the legislatures. If there are separate electorates the problem is simple in the sense that it makes a separate constituency. Supposing it is a joint electorate, how would you propose that the elections should take place. Your population is small, you cannot have one in every constituency ?—So far as the reservation of seats is concerned it is a very difficult problem for a small minority. It is for that reason that we have suggested the indirect form.

8. What do you mean by indirect election ?—I suggest that the whole system be by indirect elections on the individual basis. This is for the whole of India in which the personalities will find that they can be represented.

9. You have not any suggestion whereby the Indian Christian community can get small representation in the legislature without affecting the structure of the election ?—The only thing is that we want to have a primary election of our own and go to the legislature so that the Indian Christians can vote separately and elect their panel and that panel would be voted upon by a large constituency; otherwise I don't think the reservation of seats is going to be a possible method for a minority which is scattered in various parts of the province.

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10. *Sir Sunder Singh Majithia:* You are putting the qualification under A. at Rs. 4 per month. Don't you think this is rather too low ?—In order to get the 10 per cent. we must lower the qualification.

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11. At the present time it is Rs. 25 land revenue in the rural areas ?—We have suggested Rs. 8 yearly as land revenue.

12. At the present moment the qualification for rural areas is a certain fixed sum for rent paid ?—Yes.

13. You have lowered that ?—Yes ; Indian Christians as a rule are all tenants.

14. You have not put it to half the amount. Don't you think that by putting it to half you will get what you want ?—Not in our case.

15. Take the Punjab as a whole ?—We can still lower it.

16. You want to give representation to the Universities and not to others like landlords ?—No.

17. This is probably based on the idea that you would have some sort of group system ?—Yes.

18. Supposing the group system is not adopted, would you give any interest to the landlords ?—No. They can come through other constituencies.

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19. *The Hon'ble Mary Pickford :* You want to have what is called the hybrid system. You want to keep some direct voters and otherwise group together all those who have not the direct vote ?—Yes.

20. Am I right in thinking that you would not be in favour of the wholly indirect system with the abolition of the present indirect vote ?—We have no objection if only the group system is adopted.

21. *Mrs. Subbarayan :* Could you tell me how many women would be enfranchised under your scheme ?—All, according to our system. In our community so far as literacy is concerned we had 46 per thousand males and 35 per thousand females according to the 1921 census. I am sure that it has since increased.

22. What, in your opinion, should be the number of women voters to the general electorate ?—Equal, if possible.

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23. *Mr. Chintamani :* You have made proposals with regard to the extension of the franchise in answer to question 1 A. Can you give an approximate idea of the probable numbers that will come on the electoral roll if your proposals be accepted ?—(*Mr. K. L. Rallia Ram*) : Approximately about 10 per cent. along, of course, with the group system.

24. Did your Committee consider the methods of the group system, the complications, the implications and the consequences, when you made up your mind in favour of the group system ?—There are difficulties no doubt, but they must be overcome. Perhaps there will be some corruption in the beginning as at present, but we have to train our people.

25. Did you consider whether there would be any contact, between the primary voter and the man who represents him in the Council, in the group system? —That depends on the man himself and his feeling of responsibility.

26. Did you consider how long this secondary election would take ?—With a good organisation it would not take long : that is for the department to consider.

27. You suggest that the groups should be constituted according to the residence of persons. Suppose the proposal was pressed that these groups should be constituted on caste lines, would you still favour it ?—Not on caste lines or communal lines.

28. You would have the group system if persons are grouped according to residence ; if that is not done you would not have the group system ?—No, in that case we would not favour it.

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29. You say "the group system should be so worked as to provide additional voters for the community having a voting strength below the number of its population". Will you kindly be more specific and say how it is to be acheived ?—By more education and more organisation and by giving them more training.

30. You hope that in course of time it will be equalised ?—(*Mr. B. L. Rallia Ram*) : So that the number of voters may be proportionate to their population ratio, the group system is to be worked to have equal numbers.

31. You mean you would have communal groups and in order to arrive at an equal proportion you would exclude some persons from the majority community or from the community in which the voting strength would be above the average unless there was this exclusion ?—Supposing there are 60 members of one community and 40 of another you divide them by 10 and each elect one member ; that would automatically make the proportion of numbers.

32. You give up the principle of grouping according to residence and you bring in the secondary electors ?—In certain cases re-adjustment may be possible, but I do not think it would be very complicated.

33. In the best of circumstances it would be a diluted communal arrangement ? —To some extent.

34. Under the head "Women's suffrage" you say your community consider it advisable that women be enfranchised only if they possess educational and other qualifications mentioned in paragraph 1 (*a*). That means that you disapprove the proposal of wives and widows of persons who are themselves qualified to vote being given the vote ?—Yes, because as a rule the man will have a plural vote. We are in favour of all women having votes in their own rights rather than through anybody else.

35. All your proposals under these heads of the extension of the franchise are linked up with the group system ?—Yes.

36. If the group system is not accepted the other suggestions must fall ?—Yes.

37. You have said in (*b*) under the heading Women's Suffrage "no groups should be formed for women". Was it your idea that there should be mixed groups or that the women should not come into the groups at all ?—(*Mr. B. L. Rallia Ram*) : Mixed groups.

38. Your Committee agree to the suggestion of co-option of women members. Have you considered the alternative proposal of reservation of seats for a certain number of women candidates in urban constituencies as a better method than co-option by the legislature itself ?—We did not consider that point. As a matter of fact, we did not give much attention to that because we thought that that is a problem which the women themselves will tackle.

39. You do not favour it ?—No.

(*Mr. K. L. Rallia Ram*) : We do approve of your suggestion.

40. Under 5 (*a*)—Representation of Special interests—you will retain the representation of the University. Will you retain the University constituency as it is at present, *i.e.*, the Senate *plus* Graduates of a certain standing. That is your idea ?—(*Mr. B. L. Rallia Ram*) : Yes.

41. You want 3 seats to be given to Indian Christians and you state the constituencies for that. You mean that there should be reservation of seats for them in multiple member constituencies ?—(*Mr. K. L. Rallia Ram*) : Yes.

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4th April 1932.] Messrs. B. L. RALLIA RAM, K. L. RALLIA RAM, F. D. WARRIS, K. N. DINA NATH & J. C. GHOSE. [*Continued.*

42. *Mr. Tambe:* May I take it that your community is one of the agricultural tribes within the meaning of the Land Alienation Act?—Only in 4 districts and one town in the Jhang Tehsil have the Indian Christians been treated as agricultural tribes in class B.

43. So in other parts your community cannot hold land?—No.

44. So the franchise proposed by you won't be of any help to you in those parts? —We want the group system or adult franchise.

45. I am referring to the property qualification system?—We do not stand by that.

46. I am referring to your proposal in paragraph (*a*)?—We regard that as inadequate if some other device is not adopted whereby those people will be enfranchised.

47. Supposing it is decided to give the qualification only on the property basis then your community won't take advantage of these proposals in the districts in which it is not an agricultural tribe?—The proposal that we have made is only an alternative proposal. We stand for adult enfranchisement.

48. *The Chairman:* That is quite clear. You have said that about ten times.

49. *Mr. Tambe:* In case the Government is pleased to order separate electorates, would you have any objection to have one common electorate of all Christians, Europeans and Anglo-Indians?—(*Mr. K. L. Rallia Ram*): We would have no objection, but the Europeans and Anglo-Indians would not come in.

50. You would take them?—We have no objection. We won't be losers.

51. With regard to the standard of literacy, you would fix the same in the case of women?—Yes.

52. *Mr. Miles Irving:* Your Conference does not include Roman Catholics? —(*Mr. B. L. Rallia Ram*): It is open to them, but very few Catholics have come in.

53. Have you any reason to believe that their position is any way different from the Christians generally?—No.

54. You do include Anglicans?—Yes.

55. A great majority of the Christians have come from the depressed classes? —Yes.

56. I suppose if there were separate electorates for the depressed classes, the Chuhra Christians will have two votes?—We do not regard them as depressed after they have become Christians. We are strongly opposed to their not being classified amongst us.

57. It has been suggested that in addition to the general franchise an extra special vote be given to the depressed classes. Would you deprive the Christian Chuhra of that privilege?—Do you mean to suggest that they will have two votes?

58. That is not my scheme. It is a scheme that I have heard of—that the depressed classes should have an extra qualification?—What we object to is their being classified as something different. As regards the extra vote, we have not considered that.

59. If there is a separate Indian Christian electorate with qualifications very much lower than any property qualifications, there would be very nearly adult franchise within your community?—Yes.

60. *Mrs. Chatterji:* Has a woman candidate under the literacy or property qualification which you advocate any chance of being returned in an Indian Christian constituency if separately formed?—It depends on the temper of the people at that time. If a woman like yourself stands, she may come in.

4th April 1932.] Messrs. B. L. RALLIA RAM, K. L. RALLIA RAM, F. D. WARRIS, K. N. DINA NATH & J. C. GHOSE. [*Continued.*

61. *Pandit Nanak Chand:* With regard to the depressed classes you state in your memorandum that this question does not arise in this province as the number of depressed classes is not large. Do you stick to this view?—(*Mr. K. L. Rallia Ram*): Yes, I do.

62. What is your profession, may I ask? How do you earn your living?—I am the Headmaster of a high school.

63. How long have you been a Headmaster?—For the last 25 years.

64. In your school, is there any distinction observed among the Hindus, Muhammadans and the Depressed Classes with regard to drinking water?—There is no restriction.

65. They take from the same glass?—I make provision only for one glass. They may bring their own glasses.

66. Has there been any objection raised by any community?—None so far.

67. A large number of what are euphemistically called the depressed classes also read in your school?—I never enquire about the caste of a man. When he comes I look at his face and his qualifications. However, there are some people belonging to the depressed classes.

68. Has any objection been raised by the so-called higher classes, the Hindus, with regard to their reading with the lower classes?—No objection. If any objection came, I would ask the boy to leave my school.

69. *The Chairman:* You said you are a teacher?—I am the Headmaster of the Rang Mahal Mission High School. It was established in 1849, the very year when the British took possession.

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70. *Khan Bahadur Shaik Din Muhammad:* You have said, Mr. Rallia Ram, that the University representative should be elected by Graduates of a certain standing. Don't you think that the interests of the University would be better served if the representative is elected only by Fellows?—(*Mr. K. L. Rallia Ram*): It is not very material. We want some representation. I think, the present method is better.

71. You advocate universal suffrage through the group system on the ground that it is better to give some voice to the 90 per cent. than to keep them out altogether?—Yes.

72. That is why you don't mind if those that are enjoying the direct vote are deprived of it?—Yes.

73. Supposing your community is not sufficiently represented on the property qualification or any other qualification, then how would you ask for your representation? Supposing as a depressed class, through the property qualification, literacy qualification or any other artificial qualification your community does not come up to the mark, what method would you suggest?—We don't call ourselves depressed.

74. As agricultural labourers, as farm labourers and as members of the rural community your number of the enfranchised is not so large?—Do you mean in separate electorate?

75. In separate electorates?—The matter does not arise. After all, Indian Christians would be returned. We would like the qualification to be as low as possible. I do not want to repeat what the Chairman has said has been repeated ten times, but I would say that we will have a sufficient number of voters to elect men of our own choice.

76. Most of the Indian Christian community resides in villages?—Yes, that is true.

4th April 1932.] Messrs. B. L. RALLIA RAM, K. L. RALLIA RAM, F. D. WARRIS, K. N. DINA NATH & J. C. GHOSE. [*Concluded.*

77. You say under the heading Representation of Labour "the representative elected should be a member of the class represented". What do you mean by that?—By this we mean that those men who are actually labourers and not outsiders who for artificial reasons make that class as their own.

78. You want differentiation between one class of labourers and another?—I have not said that.

79. You say "the representative elected should be of the class represented"?—If you are going to form a constituency of labourers.

80. Manual labourers?—Yes.

81. You mean to say that they should be represented by manual labourers?—Yes.

82. *Rai Bahadur Choudhri Chotu Ram:* You say in your statement that there is no marked disparity between the number of voters in rural areas and urban areas. Do you know what the proportion actually is?—I don't know the exact figure. The percentage in rural areas is bound to be smaller.

83. According to the electoral roll prepared in 1929 the percentage of voters in the rural areas was 2·8 while in the urban areas it was 6·4. Would you or would you not call that marked disparity?—(*Mr. B. L. Rallia Ram*): We did not have the figures before us. It may not be a correct statement.

84. In the second paragraph of your statement you propose to give the vote to all literate persons. You will admit that literacy varies very much between one class and another class and urban areas and rural areas. If you give the vote to every literate person, don't you think that it will tend to accentuate the disparity?—Each community would be put on its own mettle. It will create some enthusiasm.

85. That does not affect the numbers?—In the first election it may not. That is one way of giving impetus to education. Impetus is a very great thing in the world. We all work for it.

Memorandum submitted by the ALL-INDIA WOMEN'S CONFERENCE.

In as much as the All-India Women's Conference in conjunction with the Women's Indian Association and the Central Executive Committee* of the National Council of Women in India has already submitted a specific Declaration of the fundamental rights of citizenship in India under the future Constitution as incorporated in their Joint Memorandum duly placed in the hands of the British and Indian Governments and the members of the Round Table Conference, it only remains to comment generally on the methods by which the women of this country may be enabled to exercise to the full their legitimate rights.

The A. I. W. C. as representing the thinking womanhood of India, is strongly of opinion that no method other than that of adult franchise—by which is meant the right of every man or woman of the age of 21 to vote—without any special expedients will avail for the proper placing of this country on a truly democratic basis for the realisation of responsible government as denoted by the accredited phraesology of "government of the people, by the people and for the people."

To this end the A. I. W. C. considers that any tests based on property qualifications, actual or nominal, or any literacy qualifications are fundamentally opposed to the principles which have been endorsed by representative women in India and for which they unequivocally stand.

* Pages 90 *et seq.*

Memorandum by the ALL-INDIA WOMEN'S CONFERENCE [*Continued.*

PROPERTY QUALIFICATIONS.

Any attempt to solve the question of the proper enfranchisement of women that is based on any test of the possession of property through a male relative must necessarily be foredoomed to failure, as it would obviously tend to perpetuate the idea of the dependency of the woman on the man, thereby striking at the very root of the principle of equality of the sexes for which the womanhood of this country is actively struggling to-day. Moreover, it is clear that property qualifications of any kind would only place the well-to-do in a position of very unfair advantage as compared with their poorer sisters in the matter of enfranchisement, clearly, an highly undemocratic principle at best and one scarcely suited to the vision of a united Federal India in which women are inevitably destined to play an important part.

LITERACY QUALIFICATIONS.

While the A. I. W. C. considers the term "illiteracy" as a convenient cloak for deferring the day of adult enfranchisement, it is of opinion that any "literacy' qualification stands clearly self-condemned in view of the fact that no real standard of "literacy" can be said to obtain amongst the women of India. Hence, if any "literacy" test were to be applied to-day, the women of this country would be placed at an insuperable disadvantage. Mere literacy, moreover, can in no wise and nowhere be said to be a test of real education. It is obvious that a woman who is considered fit to manage her household affairs and the nurture of a family is competent to cast an intelligent vote.

Any conditioning, therefore, of the right of franchise on the ground of either property or literacy qualifications is entirely at variance with the Declaration of equal rights and equal opportunities for all. We would, therefore, after due consideration submit the following proposals in the matter of this important question of franchise, starting on our premise that every man and every woman on reaching the age of 21 is entitled to the free exercise of a vote and feeling assured, as we do, that with this practical equality for women in the matter of franchise they will be able to find their way into the Legislative and Administrative Institutions of the country through the open door of ordinary election.

Accordingly we suggest, meanwhile, the acceptance of the "group" system of representation. Such a system could be made applicable, without appreciable difficulty, to both urban and rural areas and would embrace the constitution of primary and secondary voters, the latter class forming the actual electorate both for the Provincial and Federal Legislatures. For example, a group of primary voters comprising, say, 50 adults (men and women) would elect 5, (*i.e.*, 10 per cent.) from among their number to constitute the secondary voters who would vote on their behalf at the actual elections. Even as in rural areas the village should form the basic unit for such a purpose, so in urban areas the same end could be achieved by division of towns into wards of a convenient size with due regard, in either case, to administrative facilities.

A scheme of this nature should, we submit, present no real obstacles in its practical application, in as much as the difficulty of an unwieldy electorate is simplified and, *pari passu*, the blessings of the consciousness of the power of voting and, therefrom, the knowledge of having a voice in the governance of the country assured to every adult of either sex.

The Conference is definitely of opinion that no separate Constituencies should be formed for, nor distinctions of any kind made between the primary and secondary voters in the matter of qualification—forming, as these will, the general electorate in any area.

Memorandum by the ALL-INDIA WOMEN'S CONFERENCE. [*Continued.*

The Conference feels that the method above suggested is the best and most practical one for the enlargement of the franchise on an equitable and working basis for :—

1. It is a simple method. Simplicity being the essence of the problem, it will be eminently suited for and adaptable to the needs of the simple masses of this country.
2. It will afford equal opportunities for all irrespective of any impediments or distinctions of any kind.
3. It will inculcate the democratic sense, as also a due consciousness of responsibility amongst those entrusted with new opportunities.
4. It will lay the sure foundation of a truly responsible government, representative of the people as a whole.

We would accept any other system provided it were based on adult suffrage, and in consonance with the principles embodied in our Memorandum.

Answers to the Questionnaire.

I.—PROVINCIAL LEGISLATURES.

I. EXTENSION OF THE FRANCHISE.

(*a*) Standing as we do for adult franchise we consider the method as suggested in our Memorandum the best means of extending the franchise. By our method the entire adult population of the country will be enfranchised and the group system will constitute an electorate comprised of 10 per cent. of the adult population.

(*b*) We do not see any reason why an electorate based on these lines should not be capable of casting an intelligent vote. As we do not consider mere literacy to constitute intelligence and having regard to the ancient practice of the Panchayat system which still exists in many places all over the country, also the fact that since 1882 the franchise for local bodies has been very wide, there ought to be no difficulty in primary voters taking an intelligent part in choosing their representatives who in turn will constitute the actual electorate.

(*c*) Presuming on the sympathetic co-operation of district authorities, there should be no insurmountable difficulties—further, our suggestion of the group system will simplify arrangements.

(*d*) Does not arise.

(*e*) We stand for adult suffrage or any other system based on adult suffrage.

(*f*) We hold that adult suffrage is practicable but we are in favour of a group system of representation for both urban and rural areas. We would suggest groups of from 50 to 500 persons from which primary voters should elect secondary voters on a basis of 10 per cent., the secondary voters forming the actual electorate for the Provincial Legislatures.

We are not in favour either of separate Constituencies for or any distinctions of any kind between primary and secondary voters, forming, as these will, the general electorate in any area.

(*g*) It follows that we are definitely against separate Constituencies for group electors.

(*h*) We are definitely in favour of this suggestion as, in our opinion, this will be the only means of giving everybody, irrespective of sex, caste, creed, nationality, wealth, poverty, literacy and illiteracy an absolute equality in the matter of the vote and, thereby, fulfil our ideal of equal rights and opportunities for all.

(*i*) We have already suggested in reply to (*f*) that groups should comprise from 50 to 500 adults. In rural areas the village should form the basic unit and in urban areas towns could be divided into wards of a convenient size with due regard, in

Memorandum by the ALL-INDIA WOMEN'S CONFERENCE. [*Continued*.

either case, to administrative facilities. We have no objection to groups in towns and large villages being bigger than those in villages. The division of towns into wards should not prove difficult as such already exist for the purposes of Municipal elections and each ward could be easily divided into convenient groups. The local authorities could depute some of their officials and organize voluntary helpers—men and women—to frame such groups in consonance with existing conditions. It would not matter if groups varied in size in rural and urban areas according to the population.

(*j*) Certainly not.

2. FRANCHISE QUALIFICATIONS.

(*a*) With adult franchise there would be no disparity of any kind.

(*b*), (*c*), (*d*) and (*e*) Our Memorandum stands for adult suffrage and no special expedients of any kind.

3. WOMEN'S SUFFRAGE.

(*a*) In our opinion the only way which will enfranchise women in a practical and broad sense is adult suffrage.

Any expedients of the nature proposed by the Statutory Commission have our unqualified disapproval inasmuch as they make the citizenship of women contingent on her relationship—past or present—to a man for a very large proportion of women. We are strongly of opinion that the elementary rights of women as human beings should not be based on an extraneous factor like marriage and should not perpetuate the idea of the dependency of the woman in the man. Moreover, this suggestion would place the well-to-do in a position of very unfair advantage as compared with their poorer sisters who constitute India's main population.

We have already declared ourselves in favour of the age limit being 21 for men as well as for women.

(*b*) We are definitely in favour of groups containing both men and women.

(*c*) We totally disapprove of the idea of co-option or any such method.

4. REPRESENTATION OF THE DEPRESSED CLASSES.

Not wishing to make any distinction between the people of India as a whole we are opposed to all the suggestions under this head. Our method will give the depressed classes and everybody equal rights and equal opportunities.

5. REPRESENTATION OF LABOUR.

The above answer applies to this heading also.

5-A. REPRESENTATION OF SPECIAL INTERESTS.

The above answer suffices.

II.—FEDERAL LEGISLATURE.

6. ALLOCATION OF SEATS TO BRITISH INDIAN PROVINCES.

(*a*) We agree with the proposal that the representatives of British Indian Provinces in the Upper Chamber should be elected by the Provincial Legislatures by a single transferable vote.

(*b*) and (*c*) The Franchise qualification for the Federal and Provincial Legislatures should be exactly the same.

The methods of election for the Federal and Provincial Legislatures should be the same but we have no objection to the actual electorate for the Federal Legislature constituting less than 10 per cent. of the voting population should the Constituencies be found to be too unwieldy.

7. REPRESENTATION OF WOMEN, LABOUR AND DEPRESSED CLASSES.

We reiterate that no special expedients are necessary.

Declaration submitted by the All-India Women's Conference in conjunction with the Women's Indian Association and the Central Executive Committee of the National Council of Women in India.

The Joint Memorandum on the Status of Indian Women in the proposed New Constitution of India issued last year by the All-India Women's Conference. The Women's Indian Association and the Central Executive Committee of the National Council of Women in India has already received publicity through circulation to all the Members of the Round Table Conference, the British as well as the Indian Governments, the Members of the British Parliament, the Members of the Indian Legislatures and other men and women interested in the question both in England and in India. The Indian Press, when publishing the Memorandum, commented very favourably on the principles embodied therein.

The signatories to this Declaration, however, feel that inspite of the unanimous opinion of the main Women's Organisations in India, their views have not received the consideration that was and is their due and lest the weighty demands of the thinking womanhood of India be lightly set aside, we wish once more on behalf of the Organisations which we have the honour to represent, to inform the Governments of Britain and India, as well as the general public, that we firmly adhere to our opinions as already expressed in our Joint Memorandum. Any Constitution for India which does not provide for adult suffrage and no special expedients and does not recognise the fundamental rights of citizenship in India, as interpreted by us in the aforesaid Memorandum, will meet with our unqualified disapproval.

We are aware that certain expedients have been suggested, *e.g.*,

A. Property qualification for franchise on the basis of wifehood or widowhood, if the woman does not hold property in her own right.

B. Literacy qualification for franchise.

C. Nomination for Legislatures.

D. Reservation of seats or co-option in Legislatures.

All such expedients are, in our opinion, wholly undesirable for the following reasons:—

1. We look upon any qualifications for the vote based on property as undemocratic and, as such, wholly against the spirit of the age. At the same time an expedient of this nature is quite contrary to the interests of the humble poor who constitute India's main population.

2. Owing to the almost incredible illiteracy prevalent amongst the women of India any such qualification stands clearly self-condemned.

3. We look upon nominations, reservation of seats, and co-option in any sphere of activity as a pernicious and humiliating system which must run counter to all real progress. However impartially carried out

Declaration submitted by the ALL INDIA WOMEN'S CONFERENCE in conjunction with the WOMEN'S INDIAN ASSOCIATION and the CENTRAL EXECUTIVE COMMITTEE of the NATIONAL COUNCIL of WOMEN in INDIA.

[*Continued.*

it must, by its very nature, engender an inferiority complex amongst those for whom it caters—a contingency to be avoided at all costs. It may even tend to create a spirit of communalism amongst women which we, at any rate, are determined shall not be the case. We realise to the full and with immeasurable sorrow to what an extent this canker amongst men has retarded and is retarding the progress of our beloved land.

We submit, therefore, that adult franchise, immediately applied, without special expedients, constitutes the only way by which the men and women of India can possibly come into their own. We do not think that there will be insurmountable difficulties in achieving these objects forthwith if sufficient efforts are made.

Even if men are in favour of expedients meanwhile, we wish to make it quite clear that women do not stand by them in this demand. For ourselves, we have made up our minds that, even if a few or no women are returned for the present to the Legislatures by the open door of competition, we shall not attach any importance thereto—for we are certain that our cause is righteous and that in the end it will prevail.

We urge the Governments of Britain and India not to ignore the principle that we are setting before them and we call upon all our brothers and any individual sisters who may differ from us to follow our lead. There can be no live consciousness of nationhood or true patriotism until we are willing to sacrifice to the uttermost for a principle.

As representatives of important Women's Organisations we know that we have a strong body of opinion which lends full support to these views besides that which is voiceless to-day behind prison bars and we hope our Declaration will be the means of securing for Indians—men and women—a real voice in the governance of their country.

Finally we wish to broadcast an earnest appeal to Women's Organisations throughout the world—remote in distance but kindred, no doubt, in spirit—to stand by the women of India in their fight for real emancipation at this important stage in the history of India.

Signatories.

Muthulakshmi Reddi . . .	(Dr. Muthulakshmi Reddi, *ex*-President, A. I. W. C. & Secretary, W. I. A.).
Amrit Kuar	(Rajkumari of Kapurthala, Chairman, A. I. W. C.).
Jahanara Shah Nawaz . . .	(Begum Shah Nawaz, Vice-President, A. I. W. C.).
Hilla Rustomji	(Mrs. Rustomji Faridoonji, Vice-President, A. I. W. C.).
Ammu Swaminadhan . . .	(Mrs. Swaminadhan, W. I. A.).
Dorothy Jiarajadasa . . .	(Mrs. Jinarajadasa, W. I. A.).
Shreefa Hamid Ali	(Mrs. Hamid Ali, A. I. W. C.).
Lakshmibai Rajwade . . .	(Rani Rajwade, Organizing Secretary, A. I. W. C.).

Raj Kumari AMRIT KAUR,
Rani LAKSHMIBAI RAJWADE,
Mrs. MILES IRVING,
Lady ABDUL QADIR,
Mrs. BHOLA NATH,
} **Representing the All-India Women's Conference.**

(*Raj Kumari AMRIT KAUR was the spokesman.*)

1. *The Chairman :* We have had evidence from the representatives of the All-India Women's Conference in other provinces and the view is very clearly expressed that you believe, in the first instance, in universal adult franchise to give representation to men and women, and failing that you would accept the universal group system where men and women would be grouped together. That would imply that you would abolish the direct vote altogether ?—Yes.

2. You would group the men and women separately ?—I would group them together.

3. Supposing for various reasons it does not prove to be practicable to introduce either of those systems at this stage—I am not asking you whether it is good or bad ; this Committee has to consider the various possibilities that have been put before it during the course of evidence—are you in a position to discuss what may be called the third best or the fourth best for enfranchising women ?—Any proposals that are put forward would naturally have to go before the Working Committee of the All-India Women's Conference. At the moment after having given due consideration to the question—since last year the question has been before us—our considered opinion is that adult franchise is practicable and, I am afraid, I could not, on behalf of the Conference, say that we would accept, as you say, any third or fourth best.

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4. We have had it stated to us by other witnesses from other provinces, especially in the case of *purda* women of those provinces, that they do not want the vote and that even if it was given to them, they would not exercise it. Could any of you ladies give us your views as to what the women of this province think, irrespective of the method, on this point ?—I think that those of us who have for several years past held large meetings representative of all classes of women from the highest to the lowest, are certain that there is a very live consciousness amongst the women and a real desire to learn and to have recognition of their equality as part and parcel of a living entity in the body politic of India. I differ from the views expressed that they would not be willing either to have the vote or to take an active part in elections.

5. It has been especially stated that Moslem women, owing to the prevalence of *purda* in that community, would be either reluctant to come and vote or do not want to vote. Are there any Muslim ladies among your delegation to speak on that point as to what the views of the Muslim women are ?—(*Lady Abdul Qadir*) : We have had meetings and several ladies attended them. There were about 300 present and they were all for this, that they want the vote.

6. If they have the votes, would they go to the polling booths and vote ?—Provided some arrangements are made for them.

7. You want that there should be separate polling booths or that there should be a woman inside every polling booth ?—Yes. If separate polling booths cannot be arranged, there should be separate entrances and exits for women at polling booths.

4th April 1932.] Raj Kumari AMRIT KAUR, RANI LAKSHMIBAI RAJWADE, Mrs. MILES IRVING, Lady ABDUL QADIR & Mrs. BHOLA NATH. [*Continued.*

8. You are agreed that it is important to have a woman inside every polling booth where women have to go for exercising the franchise to whom they can put questions ?—Yes.

9. If there are separate entrances and exits for women and if there is a woman inside a polling booth, women would go and vote ?—(*Lady Abdul Qadir*) : I think they would come. In the beginning, perhaps, some would not come. Anyhow that question does not arise in rural areas, because almost all are out of *purda* in rural areas. That question arises only in urban areas.

10. Supposing women had to go four or five miles away to another place to vote—on the average polling booths in most provinces will be 5 to 7 miles distant from one another—will they travel that distance to exercise the franchise ?—(*Lady Abdul Qadir*) : Even in such cases, if they think that it is their duty, they will go and vote. In the beginning. for some years, they might not go.

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11. *The Hon'ble Mary Pickford* : I understand that Raj Kumari Amrit Kaur and Rani Lakshmibai Rajwade are speaking for the All-India Central Branch of the Women's Conference and that the other ladies speak for the Punjab Branch ? —Yes, that is so.

12. May I ask you, as the organizing secretary, if you can give me any idea of the total membership of the All-India Women's Conference, inclusive of all the affiliated branches ?—(*Rani Lakshmibai Rajwade*) : We have no regular membership in the sense that we collect a certain subscription from a member. In each constituency, large meetings are held and delegates are elected. The method of election varies in each constituency to suit the requirements of each. There is always open election and public meetings. 10 women are elected at such meetings. All constituencies together elect in this manner about 370 members to attend the annual session of the Conference.

13. It is not possible to say what number of women throughout India your Conference represents ?—I can tell you about my own constituency. Our last year's meeting was attended by over a thousand women and there were representatives from several small towns where similar but smaller meetings were held for electing them.

14. I think your first memorandum * was issued in the summer of last year, about July or August ?—The memorandum was really printed in May and it was sent to England in August.

15. When you held your annual conference at Madras some months ago, I understand that though the memorandum was formally adopted, there was no discussion on the details of it ?—(*Raj Kumari Amrit Kaur*) : The memorandum having already been adopted at the half-yearly meeting held in July and it having been circulated twice among the members of the Standing Committee who had a mandate from their constituencies at open meetings to support the memorandum, the memorandum naturally could not be discussed in detail. But, in order to give people who may have held different views from us an opportunity of expressing them, the memorandum was fully embodied in the annual report which was passed in open session. At that time it was open to anybody to criticise or find fault with it. As nobody had anything to say against it, it was taken as unanimously adopted.

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16. Since that time, you somewhat modified that memorandum from complete adult franchise to the diluted adult franchise of the group system ?—Well, the first memorandum embodied the principles. From those principles, what you refer to as the second * memorandum, which we have sent together with our answers to the questionnaire of the Indian Franchise Committee, does not differ in any way. The principles enunciated in the first memorandum are there in the second. Only n answering questions, we had to go into details of methods to be adopted.

17. You held a meeting of the Standing Committee about the middle of February because it was impossible to circulate the papers to everybody ?—We passed this memorandum at our Standing Committee meeting in Madras and decided to tell members that, as the Conference, as a whole, had supported the memorandum, if there were any who differed from our views, they might communicate the same to us. There were one or two who asked us as to what their attitude should be. We said that they were not prevented from expressing any views that they might hold. But they must make it clear that they were speaking in their personal capacity and not on behalf of the Conference. Through circulation we obtained the consent of the large majority of the constituencies as regards the manner in which the questions should be answered. Unfortunately, we did not receive the questionnaire till the 15th February and then we called an emergency meeting to discuss it. At that emergency meeting of the working committee, we framed these answers. After that we circulated the answers, etc., again to our Standing Committee members. We heard no dissentient voice regarding them.

18. You say that this is the unanimous opinion of the women's organisations in India. I understand that the National Council of Women is affiliated to your Conference ?—No. Last year they asked whether there might be a *liaison* officer who would be in touch with the work that is being done in the two organisations. We agreed that our organising secretary might be the *liaison* officer on our side. But we are not affiliated to them. The All-India Women's Conference, as an organisation, is not affiliated to any other organisation.

19. I was suggesting that they were affiliated to you ?—No. They are not.

20. You would of course agree that they are an important women's organisation ?—Well, they have not got the widespread organisation in India that our organisation, for instance, has. Their organisation is more international than national. They have some branches in certain towns in India. In northern India, in this province, for instance, they have no branch at all.

21. They did, in fact, send in answers to the questionnaire and they stated that they did not altogether agree with your memorandum ?—I believe that the Central Executive Committee of the National Council of Women in India does agree with our views. I do not know if individual members of their branches hold different views.

22. Did you get the opinion of the provincial branches ?—Yes, of our Conference.

23. There is some difference of opinion among your own members in regard to this memorandum ?—As far as our Conference is concerned, in Madras among the Standing Committee members there were two or three Indian members and some European ladies who said that they did not agree with the details of our memorandum. That is all. The majority, the vast majority, agreed with our views.

24. Has it come to your knowledge that the women of Bengal have sent us a memorandum, not altogether on your lines, but approving some of the opinions

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which you do not approve of ? It is signed by a considerable number of members including your President ?—I am not aware of it. Our Standing Committee members in Bengal have not informed us on the point. The President, I know, does not agree with our memorandum. The President of the All-India Women's Conference is generally a lady who is elected for her public services or her public position and her interest in the welfare of women, and we are very grateful to Mrs. Roy who stepped in at the last moment because the President who was first chosen was unable to come owing to illness. The Conference honours Mrs. Roy for the work she has done in the sphere of education in Bengal. But she has not been an *ab initio* member of the Conference. Of course, in her capacity as President, she becomes, *ex-officio*, a committee member.

25. With regard to the answers to our questionnaire regarding property qualification and to the suggestion that was made by the Simon Commission that wives should be qualified on the basis of their husbands' qualifications seeing that women in India on the whole do not own property, I gather that you take exception on the ground that it perpetuates the idea of dependency of women to men. Now, supposing such a qualification was made mutual as it were that a woman should be qualified on the property qualification of her husband and also the other way that a man should be qualified on the basis of the property qualification of his wife—that system you may perhaps know obtains in England at present where a woman can vote on the qualification of her husband's business premises and, equally, a husband can vote on the qualification of his wife's business premises—would you have any theoretical objection to it ?—I would object because we are definitely of opinion that there should be no property qualification whether for man or for woman.

26. I am stating a hypothetical case. If the abolition of all property qualifications is not acceptable, will you agree with the suggestion I have put forward ? —No. We are struggling for the recognition of our individuality. We want that our rights as women should be recognised for votes. Circumstances like marriage and other expedients are not going to enfranchise the right type of women and certainly these qualifications are not going to enfranchise women on an equitable basis. Further, the suggestion that you have made, namely, to have this mutual qualification, is not practicable. That eventuality will practically never arise.

27. Do you think that when you have franchise on a democratic basis, you would get the right type of women ? After all, is not that a matter of definition ? —We want, at any rate, an equitable basis of franchise ; and in the India of to-day, with the conditions that obtain here, there cannot be an equitable basis where women are concerned except with adult franchise.

28. As regards groups, you are definitely in favour of groups containing both men and women ?—Yes, definitely.

29. Supposing the group system is adopted, would you make that a statutory obligation or would you make it permissive ?—We have suggested the group system meanwhile.

30. You wish that it should be laid down in the constitution ?—Yes, as long as the group system lasts, we want mixed groups.

31. Both for men and women ?—Yes. We are definitely not in favour of separate groups.

32. Even if local opinion is in favour of separate groups ?—Our Conference would stick to its opinion.

33. In case there are mixed groups, do you think that, taking India as a whole, there would be very many women secondaries returned ?—In the beginning there

4th April 1932.] Raj Kumari AMRIT KAUR, Rani LAKSHMIBAI RAJWADE, Mrs. MILES IRVING, Lady ABDUL QADIR & Mrs. BHOLA NATH. [*Continued.*

may not be as many returned as we would like to have; but once we have the power of the vote, as time goes on, women will be returned as secondaries in larger numbers.

34. You totally disapprove of the idea of co-option. There have been some other methods suggested for securing a certain number of seats for women? Have you seen those suggestions?—You mean methods such as reservation of seats, nomination, and co-option?

35. Methods other than co-option?—I take it you are referring to reservation and nomination.

36. Under responsible government, nomination is entirely ruled out. Co-option for various reasons has not found very much support. Some other suggestions have therefore been put forward at various places. They are: (1) a special electorate of educated women; (2) special urban constituencies as parts of urban constituencies in which every one on the electoral roll, both men and women, should have the vote both in the general constituency and also a vote for a woman candidate; and another is that there should be no special constituency, but that a certain percentage of women who had fought in the ordinary way, but had not been returned by a majority, should take those seats in the order of having gained the largest proportion of votes. Have you considered any of these three suggestions?—Our point is this: we consider that the first step in the new Constitution that is now being framed, and we believe it is going to be framed on a democratic basis, should be that men and women should have the right to contest seats for and return to the legislatures men and women of their own choice. We lay stress on that which we consider as the primary and inherent right of every individual. The gaining of seats in the legislatures is the second step. If we are able to return ever so few women—and I am confident that we shall be able to return a certain number of women through the open door of election—we would rather have those women returned in that number than have more women returned by devious methods. We think that women returned by any method other than by open election will not be truly representative of the electorate. We would prefer to return men of our choice rather than women not of our choice.

37. The point that I want to put to you is this: of course, the whole of your memorandum is naturally based on the desire for complete adult suffrage or for diluted adult suffrage under the group system. Supposing neither of these systems is practicable at the moment, that might very naturally lead you to take a different view of the necessity for some representation of women in the first two or three councils owing to the fact that it might not be possible under either of the systems to raise the voting strength of women to the same level as it would be under either adult suffrage or the group system?—If and when the Committee makes concrete proposals, it will be the duty of the Conference to consider what attitude they are to adopt and what steps they are to take. At the moment, I may tell you that in our Conference we are definitely of opinion that adult franchise is practicable, provided there is a desire on the part of the authorities concerned to grant it and work it.

38. Very naturally, in the same way, you object to any special representation for depressed classes or labour or other special interests?—In our Conference we have not made any distinction between these various interests. We are all knit together in one bond, the bond of womanhood. If we are given adult suffrage, the question of special interests will not arise at all.

40. Will you give representation to depressed class women?—If adult suffrage is given, they will all have adequate representation, because everybody will have a say.

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41. If some of these special classes or interests, owing to their small number, are not able to secure representation, would you be opposed to giving them the representation which they desire ?—We are opposed to it in principle. We hold that the more we have in the way of special or separate representation, the further we retard national unity which is what we want.

42. May I just ask the ladies who represent the Punjab branch, whether they are in complete agreement with the answers which have been given or whether they would like to express any opinion on any point ?—(*Mrs. Bhola Nath*) : We are completely in agreement with the memorandum of the Central Committee and the answers given.

(*Mrs. Miles Irving*) : May I make one point clear, *viz.*, that relating to the way in which evidence was produced by the Central Committee ? I have the honour of being a Standing Committee member and I may say that when the memorandum was sent by them, we were asked to call an extra general meeting and discuss it. I do not think that our Secretary did make it clear that before the memorandum was printed, in August, all the Standing Committee members had been asked not only to express their individual opinions, but to call a meeting and get the opinion of the constituency which they were supposed to represent.

43. *The Hon'ble Mary Pickford :* May I just ask one question arising out of the answers given by Lady Abdul Qadir ? With regard to the *purda* women who would go to the polling station, have you any suggestion to make as to identification of women to avoid impersonation which is very easy ?—(*Lady Abdul Qadir*) : If there is a woman in a polling booth she can recognise the voter. Inside the polling booth there should be women and not men. Then I think *purda* women would be willing to come and vote.

44. If you have just one woman officer assisting the presiding or polling officer, she would not be able to identify all the women voters going there ?—There will be other women (voters) to identify any particular woman.

45. You would rely on the other women voters ?—Yes, as you rely on the other men voters.

46. *Mrs. Subbarayan :* Rani Sahib, I believe you sent a circular on the 21st January to the members of your Standing Committee, on the suggestion of your Vice-President, Begum Shah Nawaz, stating that your committee had not received a copy of the questionnaire and that it was probable that the views of your Committee would not be asked for by the Franchise Committee because of its personnel. In that circular you asked them what action you should take ?—The circular in question was not sent at the suggestion of any Vice-President. Members of the Standing Committee were asked to give their opinion as to the action they were in favour of adopting (*a*) if a questionnaire *were* sent to us as an organization, (*b*) if it were *not* sent.

47. May I point out to you that the Parliamentary members of the Indian Franchise Committee arrived in India only on the 29th January and that the members, as a Committee, met in Delhi for the first time only on 1st February ? It was only after we met in Delhi that we discussed the manner in which we should get into touch with the public and as to how we should invite the public to reply to the questionnaire. As regards the Provinces it was decided that the Provincial Governments and the Provincial Committees should get into touch with the public organisations and invite them to send in their replies to the questionnaire. It was decided that the Indian Franchise Committee should try to address the all-India organisations and also publish in the Press the whole questionnaire. That was the reason for the delay in sending the questionnaire to your Committee.

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48. As regards your declaration that the reservation of seats in any sphere of activity is a pernicious and humiliating system and so on, is it not a fact that the All-India Women's Conference passed a resolution in January 1931 urging the Government to nominate two women on the Central legislature ?—(*Raj Kumari Amrit Kaur*) : Two years ago, yes ; but much water has flown under the bridge since. Surely the out-look must change.

49. It was not two years ago, but only a few months before you presented your first memorandum. Why is reservation of seats a pernicious and humiliating system ?—We look upon the system of nomination and reservation as a pernicious and humiliating system when we should and ought to be given the honourable method of entrance into the legislatures by the open door of election. By co-option or nomination the right type of person does not get in and it is, so to speak, entering by the back door and inculcating within us an inferiority complex.

50. You don't think it is of vital importance to have a few women on the legislature particularly during the first few years of our Constitution ?—It is important and I am quite certain that in an open election a certain number would get in. It is better that a few got in but that the foundation stone were laid properly. Even in the House of Commons to-day there are 615 members and only 15 women but they do not ask for reservation of seats. They are conscious that their electorate is truly representative.

51. The conditions are different in England and their's is not a new Constitution like the one we are going to have ?—If we are going to have a new Constitution please let us have it on a firm foundation.

52. Certainly, and with a guarantee that men and women will work it. I believe in the constitution of your conference there is a rule which empowers the Standing Committee to invite delegates under special circumstances and also to arrange for delegates from the depressed classes ?—That has been deleted. It was in the original rules. I am sorry I cannot supply a copy of the new rules as they are just now in press.

53. Your conference has deleted that rule by resolution ?—Yes, we have eliminated the words " depressed classes." That does not exist in our vocabulary. It is difficult to say that all our women are not depressed economically, politically or even mentally.

54. Are you aware that Dr. Reddi led a deputation of women to the Local Self-Government Minister of Madras in June after your memorandum was printed, asking for reservation of seats in the Madras Presidency ?—Yes ; but she has not swerved from our views as far as the new Constitution is concerned.

55. Yet your memorandum states that reservation of seats in any sphere of activity is pernicious ! In your reply to the questionnaire you mention the Panchayat system and state that the group system will not be a novel scheme as the people are used to Pachayat elections. Do you know if women have franchise for Panchayats and local bodies in this Province ?—(*Mrs. Miles Irving*) : No.

56. Therefore women of the Punjab have not had experience of exercising the franchise for any local bodies ?—(*Raj Kumari Amrit Kaur*) : No.

57. No woman has been elected to them ?—No.

58. Has any woman been nominated ?—Yes, only to the Lahore Municipal Council ; Begum Shah Nawaz and two others.

59. Am I right in concluding from the evidence that we have had that your memorandum is based on three points, (1) the declaration of fundamental rights by Congress, (2) introduction of adult franchise, and (3) that there will be no separate

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electorates for any class, community or interest ?—That is not our language, but we are in full agreement on those three points.

60. Did your Conference present any memorandum to the Indian Statutory Commission or to the first Round Table Conference on the political status of women ? —No ; the first memorandum we presented was the one presented last year ; none before that.

61. Why ?—(*Mrs. Miles Irving*) : I think the question is rather historical because we have from the very moment of our foundation tried to unite all parties and we did not send a memorandum to the Statutory Commission because the question of women's franchise did not come forward then and we were pledged not to indulge in party politics and it was rather difficult at the moment to frame any memorandum which avoided party politics. It was later when the question came about of the women's point of view that we thought it was not a party-political one.

May I point out that the Statutory Commission did deal with the question of women's franchise ?

62. *Diwan Bahadur Ramaswami Mudaliyar :* May I take it that your association is generally against all property qualifications for enfranchisement of any person, male or female ?—Yes.

63. That is the considered view of your association, considered at a meeting ? —(*Raj Kumari Amrit Kaur*) : Yes : I have already told you that this memorandum has been before us for the past one year and the question has been considered again and again.

64. Normally speaking, in this country, we have been brought up to the belief that tradition counts for something and you are aware that in this country property has been considered as a sacred thing from which flow many qualifications for many things ?—Our answer is that that applies only to men ; we women do not come into the picture at all and therefore you cannot blame us for thinking that property qualification is inherently bad.

65. Has the Women's Conference considered the social upheaval that would result if property qualifications were altogether removed, that it might generate ideas of extreme socialism and in its present state of structure it may not be desirable ?—On the contrary, I think if you banish the property qualification it will be incumbent on those who hold property to influence the votes of their tenants or poorer classes. It will be far better for them to establish their influence by influencing the masses rather than by suppressing the masses for all time and hanging on to expedients for themselves which cater for the individual and not for the whole.

66. I take it that the All-India Women's Association is composed of ladies whose husbands own property. *Do these ladies think it is a pernicious principle* to take property as the basis of a qualification ?—Certainly.

67. As regards adult franchise, you have all said and various delegations in several provinces have said that you are not prepared to consider any alternative to the scheme you have put forward. I make an appeal to you once more. Supposing for reasons quite unconnected with women's franchise these two alternatives are not found practicable, am I to understand that the All-India Women's Conference and its delegation here are not in a position to give any ideas to this Committee ?—We are definitely for adult franchise and we have only suggested 10 per cent. of primary voters to constitute secondary voters but we are quite willing if that number can be doubled or trebled so that more men and women can have a direct vote.

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68. By the direct vote you mean the secondary voters' vote ?—Yes.

69. My personal impression is, and it is borne out in evidence in every province by a large majority of witnesses and Provincial Committee members and Governments, that it would be administratively impracticable to work the group system. In view of that, would you at all think of any alternative that we might consider ?—There is no alternative that is going to give us what we consider a constitution on democratic lines other than adult franchise with the group system meanwhile.

70. We have been told by a very responsible gentleman of this province that even to enfranchise women on the direct property qualification would lead to murder and many other crimes. Do you think if men and women mix together in primary groups it would lead to all these objections, or are they only fanciful ?—I would ask that gentleman to divest himself of that psychology of fear which is the chief obstacle always to freedom of thought and new ideas and disguises itself in the form of caution or sanity. We ought to take our courage in both hands.

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71. Has there been in the last 12 years in the Punjab any legislation attempted or passed regarding the position of women ?—We have approached the Minister and the Government on various subjects and we have got various things and we have had questions asked in the Council. I quite agree that the right mentality does exist here and therefore we want to have our political status felt in the new constitution to change that mentality.

72. Has the Council passed any resolution necessary to enable women to be voters ?—(*Khan Bahadur Shaik Din Muhammad*) : Yes.

73. They have passed a resolution qualifying women to stand as candidates ? —(*Raj Kumari Amrit Kaur*) : There is no bar.

74. May I take it that a certain number of members of your various standing committees do not see eye to eye with you ?—With the exception of one member of the Standing Committee of one constituency in Bihar, not a single member of any Standing Committee differs from us.

75. Is Mrs. Sultan Singh on the Standing Committee ?—Yes.

76. She has sent us a memorandum * and has not advocated the views you have advocated ?—She was present at the meeting in Delhi and was a signatory to the memorandum.

77. A sense of discipline to the Association (which is a very welcome thing in these days) may make them stand by your report. Apart from the sense of discipline to the Association, am I quite wrong in suggesting that a great number of ladies holding important posts in your association do not see eye to eye with you ?—That is not so, because in that case they would not have voted in favour of the memorandum. They have had ample opportunity of seeing the memorandum and I do not know how this impression has got about. With the exception of one member and the President, who this year becomes an *ex-officio* member, there are no dissentients.

78. May I refer you to your resolution of January 1931 ?—You are referring to things that happened two years ago ; that was the conference before the last when the situation was wholly different from what it is to-day.

79. Will you kindly tell us how the situation has changed since then ? What has happend to bring about this departure from all the previous conferences that

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have been held ?—Because up till then the question of franchise for women had not been considered and this has very much altered things. Conditions for the franchise of women were practically non-existent then. There were no methods to secure that representation and now that we are on the eve of having those opportunities surely you cannot deny us the right to ask for the best: so it is not really a change in the actual desire of women from the very beginning; it is only a change in methods. We are progressing rapidly here and circumstances have altered. We don't change our principles; our methods may change according to the times.

80. Regarding property qualification, enfranchisement of women on the basis of the husbands' property merely means this: we realise that husband and wife are joined together to build the fortunes of the family and therefore so far from making the wife dependent on the husband, the State for the first time recognises the moral right of the lady to be a co-sharer in the property and thereby gives her a vote in her own right? Would that be a very euphemistic way of putting it ?—I join issue with you there as you are not recognising our individuality. Take this instance, there are three daughters in a household; the most intelligent of the three girls might be married to a man who does not own property; you are denying her the right of vote; or, a woman marries a man who has not yet come into his property as the father is still living; and the husband dies while the father is alive; that widow is never going to have a vote.

81. Do you think that the wife will cease to be less dependent on her husband if she gets the right to vote in any other way as an adult ?—You must look at this matter from a psychological point of view and put yourself in the position of a woman. If you were told that you were going to have the right of vote on an extraneous factor like marriage, how would you like it ? A man has the right to vote simply because he is a man and has property; a woman simply because she marries a man with property.

82. In this country marriage is birth or death ?—Certainly; man and woman like the two wings of an aeroplane; you cannot run an aeroplane on one wing only.

83. *Mr. Tambe:* I appreciate your memorandum. I have still an open mind. Do not mis-judge me if I ask you a question. I want to understand the position. Am I right in understanding that in the opinion of the All-India Women's Conference, India is already so far weakened by the poisonous doses of Communal or Class electorates that another dose of the same kind will kill her or paralyse her for ever ?—Yes.

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84. May I take it that your Conference will rather not have a single woman on the legislatures than have one who is elected by a class or community ?—Decidedly.

85. So I am justified in assuming that your Conference will hesitate to take any part in a Constitution that will be based on communal or class electorates ?—Yes.

86. *Khan Bahadur Aziz-ul-Huque:* What is the total number of the members of your Standing Committee ?—(*Raj Kumari Amrit Kaur*): 45.

87. They represent different provinces ?—They represent constituencies. We have constituencies not only in British Indian provinces but also in 11 Indian States.

88. Is there any representative of Assam ?—(*Rani Lakshmibai Rajwade*): There is a representative of Assam, but Assam is not doing very much.

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89. Supposing the women of Assam differed from your opinion, would you give them the freedom to do it ?—(*Rani Lakshmibai Rajwade*) : All members have freedom to do what they want, but we expect that they would follow our lead.

90. Supposing in a particular province the women themselves want to come in on their husbands' property qualification, would you stand in the way of those women being enfranchised ?—(*Raj Kumari Amrit Kaur*) : We take it that it would not be possible to stand in the way but we should certainly continue our work on what we think are the right lines and try to convert them to our way of thinking.

91. How many members of your Standing Committee are Muslims ?—I am sorry that we cannot give you statistics of that nature. We do not think in terms of classes.

92. Seeing to the present psychology ?—I can't tell you that, as I say, we do not keep statistics of Muslims, Hindus, Sikhs and so on. We are all women.

93. I simply want to know as a matter of fact without any ulterior motive ? —I don't see how that concerns your Committee at all.

94. Would it be possible for Lady Abdul Qadir to give an answer to that question ?—No, she says that she has no idea. She is a member of our Conference and she does not think in those terms.

(*Mrs. Bhola Nath*) : In the Punjab they are in a majority.

95. Is it possible to get a list of the members of the Standing Committee ?—(*Raj Kumari Amrit Kaur*) : You will get that in the Report. This is the last year's report. The new report is in press, and we can send it to you when it is received.

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96. *Major Milner :* Supposing adult franchise and group system are for any reason impracticable and women can only be enfranchised on literacy or on their own property qualification, may I take it that any decision on those lines would receive the whole-hearted support of your Conference ?—If literacy existed in the country to any appreciable extent we might have considered it but looking to the figures for the Punjab we find that we have got only 1 per cent. literate women. Literacy amongst the women in the country is very low. Whom are you going to enfranchise on that qualification ?

97. There is a very small number ?—And this exactly is the question that arises in connection with the property qualification. There also you are not going to get any women on your electoral rolls because it is a qualification which we do not possess.

98. I am putting up to you a system which has been very seriously put forward in many places. If adult suffrage is impracticable at the moment and the group system is, at any rate, extremely difficult—many people say it is impracticable and it has not a very substantial support—then, anxious as we are to do what we can for the women, you will appreciate that you will place us in a very difficult position and I personally will be very glad to have your guidance in this matter ? —Supposing it is impracticable, I would still press for adult suffrage for women because it is impossible to have any other equitable basis. Why not adult franchise for women only if men don't want it ?

99. It is not a question of not wanting. Would you accept the group system for women only ?—No, we want mixed groups. We do not want separate groups for women.

100. The question of practicability arises from the numbers involved which are enormous ?—In our memorandum we have in the meantime accepted the group system.

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101. Would you accept it separately for women ?—We would rather not. As we say, we do not want further cleavages. We do not want the creation of any further castes and creeds. We have got quite enough.

102. Would you accept the proposal to enfranchise women over and above a certain age ? It might limit the numbers. It is the numbers that present the difficulty. Supposing the vote is given to women over 35, it would reduce the numbers very considerably. Would it ?—35, I am afraid, is too old. We would like to have women younger than 35.

103. If I might say so, I would personally agree to enfranchise all women over 21 *tomorrow*, but there are so many difficulties. Would you accept the practical suggestion that all women over some age, the age that would give us the numbers that could be administratively dealt with, may be enfranchised ?—This question of age is a point that our Conference might consider, provided it is not 35.

104. It is not very long since that the women of 30 in England were enfranchised ? —We have passed that stage. We cannot go back.

105. I congratulate you. You are not prepared to definitely say that you agree to that ?—Coming as I do on behalf of an organization, I have not the mandate to say that, but I should imagine that if adult franchise was considered impracticable by fixing the age at 21 the women would be perfectly willing to consider 25. But we do think that that is the only right way to proceed. This point of age we might consider.

106. *Sir Muhammad Yakub :* Let me congratulate you first on the intelligence, courage and ready wit with which you have stood the fire of cross-examination both by your own sex and from the tyrant, man ?—Please congratulate the Conference. I take that as a compliment to the Conference.

107. Will you kindly let me know how many constituencies there are of your All-India Women's Conference ?—37.

108. They are spread in what manner ?—All over India. They are in Agra, Ajmer-Merwara, Andhra Country, Assam, Bengal East, Bengal West, Berar, Bihar, Bombay, Calcutta, Central Provinces, Delhi, Gujerat, Karnatak, Konkan, Madras, Maharashtra, Malabar, Oudh, Punjab Central, Punjab East, Sind, Tamil Nadu, Utkal and the following States : Baroda, Bikaner, Cochin, Dhar, Gwalior, Hyderabad (Deccan), Indore, Jaipur, Kotah. Mysore, Sangli and Travancore.

109. What is the composition of each constituency ?—What do you mean by composition ? There is the president of every constituency, there is an organizing secretary of every constituency and a local committee.

110. You keep separate registers for every constituency ?—That is incumbent, of course, on the secretary of the constituency and we also keep registers.

111. Yours is a registered body ?—Yes.

112. What steps did your Conference take when you received the questionnaire of our Committee ?—We held a meeting of our Standing Committee in Delhi where the answers to the questionnaire and the memorandum accompanying those answers were drafted and submitted.

113. How many constituencies were represented in that meeting at Delhi ?—14. I might here say that we might have had more members coming but unfortunately the notice was very short because we did not receive the questionnaire till the middle of February. 15th February was the actual date on which I received the questionnaire and we were anxious to be able to send witnesses in the four towns that your Committee had still to visit. You had already finished Bihar, Bengal and Assam.

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114. When you drafted these answers what steps did you take to acquaint your constituencies with these answers ?—The meeting of the Standing Committee was held to draft the answers to the questionnaire and even those members who were absent knew that they had met for this purpose and when we had a quorum it was understood that they would be able to draft the answers.

115. After the answers were drafted ?—After that we circulated them immediately to the Standing Committee members.

116. In all your 37 constituencies ?—Yes.

117. Did you receive any note of dissent from any constituency ?—(*Rani Lakshmibai Rajwade*) : No, not so far.

118. You say that two other women's associations have associated themselves with your views ?—(*Raj Kumari Amrit Kaur*) : Yes.

119. What are those associations ?—The Women's Indian Association and the Central Executive Committee of the National Council of Women in India.

120. They agree with you in the views expressed in your answers to our questionnaire ?—Well, they were signatories with us to the actual memorandum. Of course, this memorandum that is here is our own Conference's. Naturally they do not attend our meeting. They do agree in principle. As a matter of fact, the Women's Indian Association members were actually present at the Standing Committee meeting of the 17th February.

121. In addition to these three associations are there any other organized institutions of women in India ?—I don't think there are any other all-India organizations.

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122. *Sir Ernest Bennett :* You regard adult franchise as practicable. Is it the opinion held by officials who would be charged with the working of the machinery—appointment of polling officers and presiding officers and all that sort of things ?—I have been into more than one village in the Jullundur District where I have consulted petty officials and talked to officials and non-officials in Jullundur itself and I have been assured by everybody that it is practicable provided there is the desire to see that it does come into existence.

123. You have been assured by responsible officials ?—Yes.

124. *Mr. Miles Irving :* You hold that adult franchise is practicable ?—Yes, by the use of the group system.

125. You stand for adult franchise ?—We ask for that.

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126. Most of us are very anxious to have the group system. But there are practical difficulties. To what extent is your Committee in touch with the villages ? Have there been any meetings in the villages ?—Speaking for my own self I have had an opportunity of going into the villages and coming into contact with the village women. Of course, we have not today that organization in the villages which we would like to have. We have not got really enough workers who could spare time to go out as often as we would like them to go into the villages. This is a question which is coming up before the Committee for serious consideration.

127. In a village which this Committee visited, they found a very strong reluctance on the part of women either to sit with men or to vote with them, nor were they anxious to vote for themselves. That would be my personal opinion also based on my experience of half a dozen districts ?—I was in a village myself the other day and when I asked the women about it, some of them said that they would be per-

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fectly willing to vote for the men and sit with the men if necessary. Men and women would be perfectly willing to form groups of 20 or so and elect secondary voters.

128. What kind of official do you think would be conducting the elections ? What rank ?—That is really a question for the district authorities. I should imagine a Zaildar or a Lambardar in this province could do the work. I should think you could get voluntary help also.

129. Opinion has been expressed that an officer of a higher rank and not a petty village official should do the work and that is my opinion also ?—You may have a controlling officer over these petty officers.

130. Of what rank ?—I would leave it to the district authorities.

131. Would you have a Tehsildar ?—(*Mrs. Miles Irving*) : Might I suggest that a Naib Tehsildar would do.

132. Do you think it could be done by a Naib Tehsildar ? What I am rather suggesting to you is that before giving your opinion as to what percentage, 10 per cent. or more, is practicable you have not gone into practical difficulties ?—(*Raj Kumari Amrit Kaur*) : We have not gone into the details of difficulties. We have consulted people like Lambardars and Zaildars and other higher officials who have done an enormous amount of touring in the villages and they all say that it will be practicable.

133. I should like to get some basis for your belief that it is practicable ?—When we are told by men who have gone into villages and had chances of even living in villages that it is practicable we also think that it ought to be practicable. After all, we are not officials, and how can we go into practical details ?

134. You can't give a really considered opinion as to whether it is practicable or not ?—We can, on the basis of opinion that we have obtained.

135. Only the opinion of unknown officials of unknown ranks !—We have reasonable grounds for our belief.

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136. *Khan Bahadur Shaik Din Muhammad :* You stated in your evidence that you are against class electorates. I want to know whether you are against communal groups ?—Certainly I am against communal groups.

137. Supposing a husband and wife, two daughters and a son make a group, would you be against it ?—We are against communal groups and class electorates. In grouping, administrative convenience also should be considered.

138. You would not ask for legislation against these communal groups, if in some cases only communal groups can be formed ?—That question does not arise.

The Chairman : She stated that she is against any kind of class electorate.

139. *Khan Bahadur Shaik Din Muhammad :* The minimum number of a group is 5 ?—I do not think in grouping you should have 5 only for a group.

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140. *The Chairman :* If in a geographical area there happen to be 20 Muslims residing side by side, they will form a group ?—Yes.

141. If there are 20 men and women, the men will form one group and the women another ?—Yes.

142. If there are two neighbours, one Hindu and one Muslim, they will be in one group ?—Yes.

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4th April 1932.] Raj Kumari AMRIT KAUR, Rani LAKSHMIBAI RAJWADE, Mrs. MILES IRVING, Lady ABDUL QADIR & Mrs. BHOLA NATH. [*Concluded.*

143. If 45 per cent. of the population of this province are women, would you demand that 45 per cent. of the voters on the roll should be women ?—Certainly not.

144. *Rai Bahadur Chaudhri Chootu Ram :* You are fully convinced that politics is a proper sphere for women. Have you taken any steps to ascertain whether this view is shared by the majority of women ?—When we hold our meetings, very large numbers of women attend. If they had no interest in these meetings they would not come.

145. You are sure that women are as keen as men to have the vote ?—Yes.

146. Do you know the percentage of women voters who attended the booths and exercised their franchise ?—I am afraid I could not tell you.

147. Supposing I were to tell you that the women who actually voted formed only 5 or 6 per cent. of the total voting strength as compared with men, will you agree that women are not as keen as men for the vote ?—They are becoming keener every day, and they are certainly keen to have the right whether they exercise it or not.

148. *Khan Bahadur Quraishi Muhammad Hayat :* We are very glad that you have such strong views on adult suffrage and group system. May we know if your suggestions are not accepted, what the attitude of the ladies will be ?—It will be for the Conference to decide what attitude they should take.

149. *Mr. Ghani :* Are there women factory workers or ordinary labourers among your Conference members ?—If they come we will admit them.

150. Is there any such member now ? Are there depressed class members in your Conference or on the Standing Committee ?—None at present.

151. *Rai Bahadur Chaudhri Chotu Ram :* You would prefer to have separate groups for women ?—No. As I said, the only difficulty is about the identification of women voters. If there are women patwaris, it will greatly ease the difficulty. If organisations like ours can supply the required number of voluntary workers that would be better. For our part, wherever we can, we will supply voluntary workers.

152. Do you think a sufficient number of women of position will be available to work as presiding officers and polling officers ?—In the urban areas we ought to be able to get them.

153. In rural areas ?—It might be more difficult.

154. Do you know that accommodation for presiding and polling officers is very limited in rural areas ?—I have not gone into details. There must be difficulties, but we believe they are not insurmountable.

155. Do you think ladies from the urban areas will, if necessary, travel on camel's back and go to rural areas for polling duty ?—There are plenty of women who are inspectresses of schools today who go about in the rural areas on official business. I do not know whether they travel on camel's back or not.

The Chairman : Thank you very much. We are sorry we submitted you to such a long cross-examination, but the importance of the subject warranted it.

Memorandum on the BALOCH TUMANDAR CONSTITUENCY.

PUNJAB LEGISLATIVE COUNCIL.

The object of this statement is to impress upon the Franchise Committee the necessity of retaining, so far as the Punjab Legislative Council is concerned, at least one special constituency on historical, political and economic grounds. This

Memorandum on the BALOCH TUMANDAR CONSTITUENCY. [*Continued.*

particular constituency is known as the Baloch Tumandar Constituency. I have called it a special constituency because it is shown as such in official papers, otherwise it is as much a territorial and general constituency as any other in the Province. In order to remove some doubts that have been expressed as to the real nature of this constituency it is necessary briefly to refer to the history and implications of the Tumandari system as it obtains in the Dera Ghazi Khan district.

The Tumandar means a tribal chief. Previous to the advent of British rule in this Province the Baloch tribal chiefs enjoyed a more or less independent position. It is true that the Sikhs tried to bring the Baloch territory across the Indus under their control but they did not consider it worth while to establish any organised form of Government there and contended themselves with receiving whatever they could from the Tumandars and their tribesmen. With the advent of British rule, however, things changed. The Tumandars who had heretofore led a more or less adventurous life preferred to settle down in the country which they had practically conquered and not only offered co-operation to the new rulers but also helped them in conquering what is now known as British Baluchistan. The political importance of this service cannot be overestimated. Enough to say that but for co-operation thus willingly offered the history of the south-west Frontier of India would have been very much different from what it is today. It was in recognition of this service that the British Government very generously and wisely agreed not only to allow the Tumandari system to continue but also granted the Tumandars certain concessions with a view primarily to enable them to retain their control over their turbulant and warlike tribesmen. The effect of this sound policy has been that quite a large number of Baloch tribes have now permanently settled in the plains of the Dera Ghazi Khan district and taken to such peaceful avocations as agriculture, stock-breeding and commerce. They along with other non-Baloch Muslim population of the district are represented on the Provincial Council by an elected representative and will no doubt continue to be so represented in the future constitution of the Province whatever form it may take. The same holds good and will certainly hold good in future as regards the urban population to Muslim and non-Muslim of the district. But what about those Balochis who prefer to remain in the hill area officially described as tribal area politically under the control of the Punjab Government. This description of the area is not very happy, inasmuch as the area in question is as thoroughly under the control of the Punjab Government as any other part of the Province and most certainly the civil district of Dehra Ghazi Khan. That its administration charges are met out of provincial revenues will be clear if a reference is made to the pages of the Punjab budgets in which one comes across such items as "Expenditure on the maintenance of Border Military Police, Baloch-levy, hill schools, pay of Political Tahsildar and Political Assistants, etc." There fore, there must be cogent reasons for treating these hill Balochis differently from the rest of their brethren in the district and depriving them of the benefit of representative institutions. I have already explained their political and historical importance. Living on the border they are exposed to all sorts of influences and illiterate and poor as they are, it will not be difficult for an unscrupulous person to exploit their inferiority complex to the disadvantage of the whole country. Temptation to relapse to their old way of living which they have not yet completely abandoned would be too great for them to resist. The best way to keep them out of mischief is to allow them a voice in the administration of the Province to which they are affiliated.

It may be asked that if this political tribal area is a part of the Punjab, why treat it specially and why not regard it as a part of the civil district of Dera Ghazi Khan and include it in the general constituency or constituencies of the district. There are special reasons for such special treatment. The needs and problems of these hill Balochis and their outlook on life are so entirely different from the rest of the people of the Punjab, including Dera Ghazi Khan, that it would be a mistake to herd them together.

Memorandum on the BALOCH TUMANDAR CONSTITUENCY. [*Concluded.*

Again it may be argued that their number (about 60,000) is too small to entitle them to special representation. This is an argument which can be advanced against all special constituencies and certainly with much less force if any at all against the Baloch Tumandar constituency. The condition of these hill Balochis is in no way better than the so-called depressed classes for no fault of theirs, but their importance is much greater than that of any other class of His Majesty's subjects whom it is proposed to give special representation and who, it should not be overlooked, have ample opportunities of influencing the result of elections by the general constituencies. For instance, all the voters of such special constituencies as University, Commerce, Industries and land holders have also a right of vote in one or other of the general constituencies. The case of hill Balochis is quite different from them. If the Baloch Tumandar constituency is abolished they will simply cease to exist in the political life of the province and the country and who can say that they will not make themselves felt by means other than strictly constitutional ones.

It may also be asked why should the Baloch Tumandar constituency be kept intact for this purpose or what bearing will its continuance have upon the welfare of the hill Balochis. In order to understand this it is necessary to study the composition of a Tuman which implies a very large number of various branches of a particular Baloch tribe taken collectively. At the head of each branch is a Sardar known as Muqqadim and over these Muqqadims is the Tumandar or the Tribal Chief who is looked upon by all the members of the tribe as a kind of *pater familias* in all matters affecting their welfare. Thus each one of the Tumandar represents several thousands of hill Balochis who are politically and historically important, but educationally and economically very backward, in fact too backward to be given the right of direct voting. Therefore by retaining the Tumandar constituency you enfranchise not only 9 or 10 persons who happen to be Tumandars for the time being but the entire population living in the hill tribal area which touches the North-West Frontier Province on the north and Sind on the south and extends as far as Baluchistan towards the west. You may call a constituency like this a special constituency. But considering the fact that the questionnaire issued by the Franchise Committee hints at the possibility of voting by group system in proper cases, this constituency even if it is kept intact in its present form will be to all intents and purposes as much a general and territorial constituency as any other, with the only difference that in this case the number of secondaries or direct voters will be very small, but each one of them will represent a fairly large number of primaries.

The importance of the Tumandars as guardians of the Frontier is not well understood outside the district of Dera Ghazi Khan and in view of the fact that franchise is being extended and there is no second chamber in the Punjab it is imperative that the Tumandar's seat should continue to exist.

Khan Bahadur Nawab MOHAMMAD JAMAL KHAN, Representing the Balochi Tumandars.

1. *The Chairman:* You represent the Tumandars ?—Yes.

2. Do you represent them in the Legislative Council ?—Yes.

3. I understand that there are about 60,000 Balochis outside the boundaries of the province ?—About that number.

4. None of them can secure, under any franchise, representation in the legislature ?—Yes.

5. They secure representation through you ?—Yes.

6. How many Tumandars are there ?—Altogether 9.

4th April 1932.] Khan Bahadur Nawab MOHAMMAD JAMAL KHAN. [*Continued.*

7. How were you elected, or, how do you propose that election should take place hereafter ?—The election is held like this: every Tumandar who is the head of his tribe has got a vote and the 9 Tumandars together elect one from among themselves to sit on the legislature.

8. How many are there inside the Province but have not got the franchise or are not likely to get the franchise ?—All the rest have the right to vote. Those who live in the district have got the right to vote.

9. What is the number of voters ?—They number about 175,000 in the district of Dera Ghazi Khan.

10. Do you claim to represent the 60,000 outside and the 175,000 inside ?—I represent only the 175,000 inside.

11. How many of them are enfranchised ?—I cannot tell you the exact number. There are a good number of voters among them.

12. In the new legislature there should be one Tumandar elected by the existing method ?—Yes.

13. I think the Government supports your proposal ?—Yes.

14. Have you considered the application of the group system ?—I have considered it. We have already got a sort of group system.

15. You have got a large group of 60,000. That is the trouble. Do you think it is a better system ?—For some time to come, it is better, because the people we represent are not educated and are poor. They cannot understand all these questions. Until they are in a position to understand these things, the present system is to be preferred.

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16. They understand the present system and are satisfied with it ?—Yes.

17. *Diwan Bahadur Ramaswami Mudaliar:* Are the Tumandars hereditar chiefs ?—Originally they were elected by the tribesmen.

18. How many years ago ?—Before the British took over Baluchistan. Since then this post is hereditary.

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19. *Lord Dufferin:* What representation would you require in the upper chamber ? Are you prepared not to have representation in the lower chamber if you are given representation in the upper house ?—That is out of the question. There is no second chamber at all.

20. Suppose there is a substantial demand in this province for a second chamber, would you have representation in both chambers or only in one ?—It is a very difficult question to answer. At this stage we might want to be represented in the upper chamber, but later on, when these people get further advanced, they would like to get representation only in the lower chamber so that they may have a direct voice in the administration of the province.

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21. *Khan Bahadur Aziz-ul-Huque:* As regards the present position of the Balochis are you talking of the Balochis in the Punjab frontier or in British Baluchistan ?—At present I am representing those in the Punjab.

22. So far as British Baluchistan is concerned they are without representation ? —Yes.

23. Do you consider that in the hills as well as in the Punjab territory the present position is satisfactory or do you want a better administration, including Baluchitan ?—Baluchistan is administered entirely on different bases and lines; as far

4th April 1932.] Khan Bahadur Nawab MOHAMMAD JAMAL KHAN. [*Continued.*

as my knowledge goes the administration is not satisfactory and they are not pleased with it.

24. Do you want for the tribes you represent the same representation in the Federal legislature ?—If you take the Balochis respectively that means representing a vast area and also a big number ; so they, I think, should be given some representation in the central legislature.

25. Is there any demand at the present moment for the Federal legislature in the Balochi tribes ?—The people are thinking of making representation.

26. Is the boundary very satisfactory today,—the boundary of the Punjab area and the tribal area ?—There is a line dividing the boundary area from the plain area. The plain area comes into the district proper.

27. Is there any essential difference so far as the tribal manners are concerned ? —No.

28. And from that point of view if there is a second chamber don't you think you should get representation in the lower Chamber ?—If the present representation remains the clan people have got representation in the lower Chamber.

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29. *Major Milner :* Is there any system which might be adopted to elect secondary voters or a member to the Legislative Council ?—It is difficult : they are too backward at present for that. After some 30 years or so they will have advanced to that stage.

30. Are you Chief of one of these tribes ?—Yes.

31. Do you occupy a permanent place ?—We live in the plain area with our tribes and during the summer we go to the tribal area.

32. Are you yourself a tribal land owner ?—Yes.

33. Do your tribe own land ?—Some of them.

34. Have you a right to tax your tribe men ?—No.

35. Have you any power over them ?—We have got power over them as a Tribal Chief.

36. What sort of power is that ? How far does it extend ?—We are representative of our tribe.

37. Can you punish them, or fine them or tax them ?—It is a different law altogether : they are run by the Tribal law. There is a council of elders.

38. Does each tribe elect its own council of elders ?—Yes, to dispose of their cases.

39. When a case requires settling what happens ?—There is a council nominated by the chief and objections are taken. If there are no objections the case is referred to a council of elders. A Tumandar is the Chief Justice.

40. Is it possible to adopt that system when electing a member to the Legislative Council ?—Do you mean that the tribes should have the right of election ? That is the difficulty. Unless they get better education and are more civilised it cannot be done for another 25 or 30 years, but after that it will be possible to make more groups.

41. Who is the individual who has hitherto been elected ?—I.

42. Have you been elected at a meeting of all the 9 Chiefs ?—Yes.

43. Who presided at the meeting at which you were elected ?—Polling took place.

44. Secretly or by show of hands ?—Ballot papers were given ; a date was fixed as for other polling booths. The Deputy Commissioner presided and we attended and voted in person.

4th April 1932.] Khan Bahadur Nawab MOHAMMAD JAMAL KHAN. [*Concluded.*

45. Has there ever been more than one candidate ?—Only once in the first election in 1921. Since then I have been elected.

46. Have you managed to do anything for the benefit of the tribesmen; have you got them any concessions or advantages ?—I succeeded in getting some money for roads and paths and also for drinking water tanks and for cattle and I also got 4 or 5 schools where no schools existed before.

47. *Sir Muhammad Yakub :* Don't you think it would be better if Baluchistan was not separated but the whole of it was one province ?—It would be a very good scheme for the Balochi nation. It will unite them. The only difficulty is that the area which the Balochis occupy is not self-supporting and unless the Government of India give them money for administrative purposes they cannot run it as their own province.

48. *Mr. Chintamani :* Do all the 60,000 people referred to reside in the Dera Ghazi District ?—Yes.

49. Are any of them on the electoral roll ?—No, they have no right of vote.

50. Suppose they are given the vote on the same terms as other residents of that district, would not your problem be solved ?—The difficulty is that hardly about 1 per cent. are educated only to the primary : they are half savages. We are trying to bring them up to the level of other people. In the whole area of 250 miles and a width of 60 miles there are only, since I started representing them, half a dozen primary schools which I got for them.

51. Whatever may be the franchise qualifications that may be fixed for the Punjab, a number of men among 60,000 would be qualified as voters. You would give them the vote on those terms ?—Yes, if they are given the vote.

52. When that happens the case for special representation for Tumandars would be weakened to some extent ?—Naturally if they get the direct vote, instead of 9,000 all those 60,000 would be voting.

53. Is your land revenue system different from the Punjab ?—They hardly possess any lands. They live on grazing cattle and sheep.

54. Don't you contribute anything to the revenues of the Punjab ?—No, not from that area. We ourselves reside in the district proper; half of our tribes are in the district proper and half in the hilly districts.

55. You are not in constant touch with them ?—We go and live six months with them.

56. Has any of you ever stood as a candidate in the general electorate ?—No.

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Memorandum submitted by the NORTHERN INDIA CHAMBER OF COMMERCE.

I.—PROVINCIAL LEGISLATURES.

1. EXTENSION OF THE FRANCHISE.

The Chamber accepts the view that there should be an extension of the franchise to at least 10 per cent. of the population, and suggests that the franchise be based on educational qualifications to an extent not in excess of the voting strength aimed at. It is also suggested that some means be devised whereby the vote would be extended to men of a mature age, say, 25—30 years, who might not possess the necessary educational qualifications. There are many uneducated, but practical, men whom it would be desirable to include in the electorates, and moreover such a system would give effect to the suggestions set out below in connection with the extension of the franchise to the depressed classes, and labour.

Memorandum by the NORTHERN INDIA CHAMBER OF COMMERCE. [*Continued.*

The Chamber is not in favour of the introduction of any form of group electorates.

3. WOMEN'S SUFFRAGE.

The Chamber is in favour of increasing women's electorate, but does not put forward any views as to the extent, or method, of such increase.

4. REPRESENTATION OF THE DEPRESSED CLASSES.

5. REPRESENTATION OF LABOUR.

The general idea that the depressed classes should have some voice in political affairs is supported by the Chamber. The suggestion above that the franchise should be extended to practical men of mature age would automatically give these classes a political voice.

5-A. REPRESENTATION OF SPECIAL INTERESTS.

The Chamber is of opinion that on the basis of the present strength of the Punjab Legislature, at least six seats should be reserved as follows :—

	Seats.
Commerce	2
Industries	2
Trade	2

the electorates to be the representative associations and bodies of those interests in the Punjab. There is hardly one of the many activities of a Chamber of Commerce such as this which do not closely affect Government. As the scope of Government activity advances, there is an increase of the number of matters in which action taken by it vitally affects the commercial community. It is, therefore, of the greatest importance that the representation asked for should be given, as both Government and those interests would profit by the free expression of organised commercial opinion of the Punjab in the local Legislature.

The advancement of India is integrally concerned with Commerce and Industry, and this Chamber feels that in the lower Chamber of the Federal Legislature, there ought to be one seat for each major province, occupied by a member representing Commercial and Industrial interests and nominated by the Chambers of Commerce in the Province. It is recommended that all Chambers of Commerce should have the privilege of returning at least one member to the Central Legislature to represent the commercial and industrial interests of that province, but that should any particular Chamber or Chambers be unable to take advantage of that privilege, other Chambers not so handicapped should not, for that reason, be debarred from nominating a representative. Should more than one really representative Chamber of Commerce exist in a Province, the nomination should be shared by the Chambers, but in order to guard that only *bona fide* commercial and industrial interests are represented, this Chamber considers it necessary to define Chambers of Commerce in the Government of India Act, with that end in view. At present there is one seat on the Central Legislature allotted to the Associated Chambers of Commerce, but it is obvious that the representative of that Association cannot fulfil the requirements of the various individual Chambers of Commerce throughout the country, each with its own particular provincial problems. This Chamber is further of opinion that such seats should be allotted in the name of the Association or Associations concerned, who would thus be at liberty to appoint and change their nominee as occasion requires.

Mr. L. R. SAHNI, Representing the Northern India Chamber of Commerce.

1. *The Chairman :* This memorandum is of the Northern India Chamber of Commerce which represents the Indian and the European business interests in almost equal proportions ?—Yes.

2. Can you tell me what is its membership ?—We have manufacturers, agents, manufacturers' representatives, insurance companies and banks. We have also other commercial and trading firms representing various interests.

3. How do you differ from the other Chambers of Commerce, the Indian Chamber of Commerce and the Punjab Chamber of Commerce ?—The headquarters of the Punjab Chamber of Commerce are in Delhi. The headquarters of this Chamber are at Lahore. It works in N.-W. F. P. and the Punjab. They are, of course, very friendly with each other.

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4. The other Indian Chamber of Commerce also exists in Lahore ?—That is the Indian Chamber of Commerce where the members are exclusively Indian. This is for both the Indian and European.

5. What is the number of your members ?—It is about 55 or 60. Although the number is only 60, you will find that all the interests in the Punjab are represented by big firms. If the capital of all these firms are calculated you will see what importance should be attached to our Chamber. All very important interests are represented in our Chamber.

6. What sort of capital ?—That I have not looked into. You will see represented in our Chamber, the Allahabad Bank, the National Bank of India, Lloyds Bank, the Bharat Insurance Company, the Laxmi Insurance Company the Imperial Tobacco Company of India Limited and so on. All big firms working in Northern India are members of this Chamber. The North Western Railway is also a member of our Chamber.

7. Can't you send up to the Secretary the actual membership* of your Chamber ?—Yes.

8. There are two commerce and industry seats in the legislative council today ?—Yes.

9. Do you take any part in the elections to these seats ?—The Chamber is not directly given any representation yet. The members in their individual capacity are represented.

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*The following is the list of members of the Northern India Chamber of Commerce subsequently supplied :—

1. Messrs. Spedding-Dinga Singh & Co., Lahore, 2. Messrs. Gillanders Arbuthnot & Co., Lahore, 3. The Civil and Military Gazette, Lahore, 4. The Allahabad Bank, Ltd., Lahore, 5. Messrs. Dinanath Sheopershad, Lahore, 6. Messrs. Bird & Co., Lahore, 7. Mr. H. J. Rustomji, Lahore, 8. Col. E. H. Cole, C.B., C.M.G., Okara, 9. Messrs. The General Electric Co. (India), Ltd., Lahore, 10. The Renala Estate, Renala Khurd, 11. Messrs. Duncan Stratton & Co., Lahore, 12. Messrs. The B. C. G. A. (Punjab), Ltd., Khanewal, 13. Messrs. The Bharat Insurance Co., Ltd., Lahore, 14. The Jallo Resin Factory, Lahore, 15. The National Bank of India, Ltd., Lahore, 16. Messrs. The Attock Oil Co., Ltd., Rawalpindi, 17. The Central Bank of India, Ltd., Lahore, 18. Messrs. Rai Bahadur Mela Ram's Sons, Lahore, 19. Messrs. The Murree Brewery Co., Ltd., Rawalpindi, 20. Messrs. The Ganesh Flour Mills Co., Ltd., Lyallpur, 21. Messrs. Maher Singh Sapuran Singh Chawla, Lahore, 22. The North Western Railway, Lahore, 23. Messrs. The Punjab Cotton Press Co., Ltd., Lahore, 24. Messrs. The Wah Stone and Lime Quarry, Ltd., Wah, 25. Messrs. The Lahore Electric Supply Co., Ltd., Lahore, 26. The Imperial Bank of India, Lahore, 27. Messrs. Parkash

10. So, your members have votes in some other constituencies only ?—(*Mr. Sahni*) : Yes.

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11. Can anybody get membership of these associations on application provided he has the necessary qualification ?—Yes.

12. On what basis would you propose that election to the commerce seats should take place ?—I would propose that the Chambers of Commerce should be recognised as the electorate for the commerce seats.

13. All these associations ?—Yes.

14. Basis for the vote should be membership of some commercial organisation ?—Yes.

15. *Diwan Bahadur Ramaswamy Mudaliyar* : I am a little bit confused about these chambers. Will you tell us how many chambers are there in your province ?—There are three. In two of them Indians and Europeans are working together and, in the third, membership is confined to Indians.

16. Is there one where there are only Europeans ?—There is the English Trades Association.

17. At present the electorate is the members of two of these associations ?—It is nomination. You may ask Mr. Mukherjee about it. He is here.

[Mr. Mukerjee who was one of the representatives of the Punjab Chamber of Commerce came in and occupied a seat by the side of the witness Mr. L. R. Sahni.]

18. Mr. Mukerjee, will you tell us how many seats there are in the Punjab Legislative Council for the Commerce constituency and how the election is held ?—(*Rai Bahadur P. Mukerjee*) : There is only one seat. It is filled by election jointly by the Members of the Punjab Chamber of Commerce and the Punjab Trades Association.

19. What is your distinction between the traders and commerce men ? They are not commercial houses, but are petty traders ?—Yes.

Brothers, Lahore, 28. Messrs. Basant Ram & Sons, Lahore, 29. Messrs. Grindlay & Co., Ltd., Lahore, 30. The Convillepur Farm, Montgomery, 31. Messrs. The Imperial Tobacco Co. of India, Ltd., Lahore, 32. Messrs. Sir Daya Kishan Kaul & Sons, Lahore, 33. Messrs. The Rawalpindi Electric Power Co., Ltd., Rawalpindi, 34. Messrs. The Lakshmi Insurance Co., Ltd., Lahore, 35. The Punjab Forest Department, Lahore, 36. The Indian Mildura Fruit Farm, Renala Khurd, 37. Messrs. Volkart Brothers, Lahore, 38. Messrs. Uberoi, Ltd., Sialkot, 39. Messrs. Rai Sahib Munshi Gulab Singh & Sons, Lahore, 40. Mr. E. O. Rees, Lahore, 41. Messrs. B. R. Herman & Mohatta, Ltd., Lahore, 42. Messrs. Lloyds Bank, Ltd., Lahore, 43. Messrs. The Burmah Shell Oil Storage and Distributing Co. of India, Ltd., Lahore, 44. Messrs. Michael Martin & Co., Lahore, 45. Messrs. Imperial Chemical Industries (India), Ltd., Lahore, 46. Messrs. The Kangra Valley Slate Co., Ltd., Lahore, 47. Mr. B. Brentford, F.R.I.B.A., A.I. Struct E., Lahore, 48. Messrs. Asbestos Cement (India), Ltd., Lahore, 49. Messrs. Andrew Yule & Co., Ltd., Lahore, 50. Messrs. Siemens (India), Ltd., Lahore, 51. Messrs. Buckwell & Co., Ltd., Lahore, 52. Messrs. Punjab Portland Cement, Ltd., Wah, 53. Messrs. A. F. Ferguson & Co., Lahore.

HONORARY MEMBERS.

1. Major A. Angelo, O.B.E., 2. Mr. D. Milne, B. Sc. (Agri.), C.I.E., I.A.S.

20. And the electoral roll is composed of the members of both these bodies ?—Yes.

21. They return one member to the Legislative Council ?—Yes.

22. Mr. Sahni, what is your proposal now with reference to election to the commerce seats ? I understand you to claim two seats ? You claim two for commerce and two for industries ?—Yes, for the new legislature.

23. At present there is no re presentative for industries ?—There is one.

24. Is it nomination or election ?—Election.

25. What is the constituency ?—Owners of factories and limited companies having a capital of more than a lakh of rupees.

26. What is your proposal with reference to election to the commerce and trade seats ?—There should be election by the chambers and those who actually take interest in trade and commerce.

27. May I take it that this is in addition to the electorate formed by these two associations ? Or, do you want your members also to be added to that electorate so as to return members ?—Those who take interest in the chambers should be selected.

28. *Mr. Mubarak Ali :* I will give the instance of Madras. The Madras Chamber of Commerce has got three seats in the Provincial Council. The Southern India Chamber of Commerce elects one member and the European Chamber elects two and then there is the Planting Constituency which elects one member to the Council.

29. Mr. Sahni's proposal is this that there should be as many seats as there are chambers of commerce in the Punjab and that the Trades Association must not be joined together with the Chamber of Commerce which will have a seat of its own.

30. That is to say, the two commerce seats should be divided between the Punjab Chamber of Commerce and the Indian Chamber of Commerce ?—They have asked 2 seats for themselves.

31. The memorandum says that the Chamber is of opinion that there should be six seats reserved as follows :—commerce 2, industries 2 and trades 2. According to this, the two commerce seats will be divided between the three chambers ? —The thing is this : We only want that the Chambers must be recognised. It is impossible to say which are recognised and which are not recognised. It is for the Government to point out which should be recognised and which should not be recognised. This idea has been explained in the last paragraph of our note.

32. *Mr. Miller :* You are asking for four seats for three chambers of commerce ? —Four seats for ourselves because it is we who represent the trade. If you see our membership and the capital invested and the railway charges that our members pay, you will realise our representative character.

33. If you claim 4 seats or 6 seats including trade, would you consider that the other Chambers have an equal claim ?—It rests with the Government to recognise their claim or not. I leave the judgment in the hands of the Government or the Minister.

34. Would you consider it reasonable to ask for 12 commerce seats in a house of this size ?—Not 12.

35. *Mr. Tambe :* What educational qualifications would you prescribe ?—Matric at least.

36. Would you combine the three chambers into one joint electorate ?—That is not practical politics. It is impossible to give an opinion on it at this stage.

37. Have you any objection to it ?—I will consult my Chamber and tell you. I cannot commit them now.

38. *Lord Dufferin :* If there should be more than one chamber of commerce, the representation given to them should be shared by all ?—That is our position.

39. What test would you apply to a chamber of commerce to entitle it to nominate a member ?—I will leave it to the Government to decide. I stick to the position we have taken up in the memorandum.

40. *Mr. Butler :* You are agreed that the constituency should be made up of the three chambers of commerce ?—Yes, if it is thought advisable.

41. If that be the case, would you not agree that 4 seats for yourself would be too much ?—It will be a question of election then. Our position is that we really represent the Punjab commercial and industrial interests more than any other chamber.

42. If you pool your interests into a single constituency and then make an election, I think you would find your claim of 12 seats too much in a council ?—That is true. But, it must be remembered that at present in the legislative council, the interests of trade are not adequately watched. As trade develops and increases in importance, it would require more attention at the hands of the authorities and the Council. Therefore just as you reserve seats for minorities, you should reserve seats for commerce and trade.

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43. *Khan Bahadur Aziz-ul-Huque :* In paragraph 2 of your memorandum you say that the minimum age for enfranchisement should be 25 to 30. May I know what exactly you mean by that ?—You may take 25 or 30. If you think that by having 25 as the minimum the percentage of voters will be very much increased, you can fix the minimum at 30. That is my idea.

44. Considering the importance of commerce and industries which you represent, you have asked for as many seats as possible. Now, do you think that labour should have any special representation and if so, how many in the Punjab Legislative Council ?—Labour is not a separate entity by itself.

45. You say that labour should be represented by your Chamber ?—No. You can give them some seats.

46. How many ?—I am for myself. (Laughter.)

47. That is the general characteristic of industry and commerce ?—Excuse me, I can answer that if the Chairman will permit me.

48. *Major Milner :* What qualification will you prescribe for the labouring classes ?—Age and education.

49. Will you be agreeable to giving the wage-earners over 30 years and more the vote ?—I have no objection.

50. Have you any other suggestion for enfranchising them ?—My Chamber has stated age and education.

51. *Mr. Chintamani :* How would you make out that there is anything like a conflict of interest between commerce, trade and industries ?—If the things are properly managed, there will not be much conflict of interests.

52. Therefore, there need not be separate constituencies, one for commerce, one for industries and one for trade ?—When these are fully developed separate representation may not be necessary ; but until then, at the stage in which we are now, more seats should be allotted so that these interests may be better taken care of.

53. Is there any conflict of interest now ?—There is no conflict of interest now, but each party must look after its own interest. One man cannot look after all interests.

54. You have nothing more to say on that point ?—No.

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Memorandum submitted by the PUNJAB CHAMBER OF COMMERCE.

I.—PROVINCIAL LEGISLATURES.

1. Extension of the Franchise.

The Committee are aware that the present electorate in the Indian provinces amounts to less than 3 per cent. of the population and they accept the position that it is necessary so to widen the electorates that the legislatures should be representative of the general mass of the population and they agree to the extension of the franchise to cover 10 per cent. of the population.

(*a*) The means that the Committee suggest to bring about this extension of the franchise are :—

(1) By enfranchising persons with a certain minimum educational qualification, say, those possessing the matriculation or an equivalent standard ;

(2) By bringing in women voters in the electorates ; and

(3) By suitable lowerings of existing voting qualifications so as to cover the balance to make up the 10 per cent. of the population.

(*b*) The Committee consider that such an electorate will, in course of time, probably be capable of casting an intelligent vote.

(*c*) The Committee consider that such an electorate should not be impossible to manage.

(*d*) Does not arise.

(*e*) Neither practicable nor desirable for the present.

(*f*) The Committee do not think any necessity for the provision of group voting arises when only 10 per cent. of the population is to be enfranchised.

If and when adult suffrage is contemplated, then it would be necessary to think of expedients by which the electorate could be administratively managed as regards the preparation and maintenance of electoral rolls, arrangements for voting, etc., such as group voting or voting by single representatives of villages—a scheme suggested by Sir Mirza Ismail—for then the present direct system of voting will not be possible.

(*g*), (*h*), (*i*) and (*j*) Do not arise.

2. Franchise qualifications.

(*a*) There is marked disparity in the operation of the franchise qualifications between rural and urban areas and it appears to the Committee that there always will be. But the qualifications for franchise should be so arranged both for rural and urban areas that each section might contribute an equal proportion to the voting population.

(*b*) Yes, in case of joint electorates.

(*c*) Yes.

(*d*) The Committee, as stated above, are in favour of introducing a qualification based on education. They have suggested the possession of a matriculation or an equivalent standard.

(*e*) Yes.

3. Women's suffrage.

(*a*) The Committee are in agreement with the Statutory Commission's recommendation that the wives and widows (of over 25 years of age) of men entitled to vote under the property qualification should be enfranchised and that in addition an educational qualification should apply to women over 21 as well as to men.

When recommending an extension of franchise to women, it is necessary to state that provision should be made for separate polling booths for them so as to provide *purdah* facilities.

(*b*) No.

(*c*) The Committee agree to the suggestion that as a temporary measure legislatures may co-opt women members to an extent not exceeding 5 per cent. but they are definitely against the introduction of the system of proportional representation for they do not desire to see communal representation perpetuated in yet another sphere. It should not be difficult to devise a simpler method than proportional representation to redress any disparity in the representation of communities, say, for instance, nomination by the Cabinet for unrepresented communities.

4. REPRESENTATION OF DEPRESSED CLASSES.

The Committee agree to provision being made in the constitution for representation of depressed classes by means of joint electorates with reservation of seats. It is hoped that in course of time there will be no such class as the "Depressed Classes" and, whilst in the meantime it might possibly assist to do away with this brand of Cain if there were no separate representation for the depressed classes, the Committee are of the opinion that the time is not yet ripe for this and therefore that things being as they are, these communities cannot afford to be without separate representation under the new constitution.

The Committee regret not being in a position to define the term "Depressed Classes".

5. REPRESENTATION OF LABOUR.

(*a*) As regards organised labour, the Committee would suggest the tightening of the Trade Unions Act regarding the number of members that is necessary to constitute a trade union. At present any seven workers may constitute a trade union, but if organised labour is to be enfranchised this provision will have to be done away with. The first course will be to make the trade unions sufficiently representative of the labourers by insisting on, say, their representing 25 per cent. of the labour in the particular industry of the locality and then enfranchising such of them as are registered. The Committee do not object to reservation of seats for labour and to the recognition of labour unions to vote provided they represent at least 25 per cent. of the labour.

(*b*) As regards unorganised labour the Committee can think of no way of enfranchising them and they therefore suggest that unorganised labour should not be recognised.

5-A. REPRESENTATION OF SPECIAL INTERESTS.

The Committee strongly recommend the retention of the representation of special interests, particularly of commercial trading and industrial interests. Regarding representation of this Chamber in the Punjab Legislature and the Federal Legislature, they deal separately with it at the end of this memorandum.

II.—THE FEDERAL LEGISLATURE.

6. ALLOCATION OF SEATS TO BRITISH INDIAN PROVINCES.

(*a*) The Committee are not in favour of the system whereby representatives of British Indian Provinces in the Upper Chamber of the Federal Legislature would be elected by a single transferable vote.

They suggest direct election instead.

(*b*) The electorate to the Federal Legislature may be the same as that for the Provincial Councils now. This would mean a moderate extension of the franchise for election to the Federal Legislature.

(*c*) The Committee do not attach much importance to the inconvenience that may be caused to candidates by the constituencies being rather extensive. But

the Committee hold the view strongly that a system of direct election should be introduced in order that there may be effective representation.

7. REPRESENTATION OF WOMEN, LABOUR AND DEPRESSED CLASSES.

The Committee have no further remarks to add.

8. GENERAL.

The Committee have at present nothing further to add.

The Committee wish to add a note that in their opinion it is important that a voter can have no more than one vote to a particular constituency. For instance, if a voter has a property qualification and an educational qualification, that should not give him a vote in each capacity.

The Committee now take up the question of this Chamber's representation in the Legislature.

In the Councils created in the Punjab, in pursuance of the Minto-Morley Reforms, commercial interests had one seat, out of a total of 29, which this Chamber had the right to fill. The Chamber, it may be mentioned, contains approximately an equal number of European and Indian members consisting of all the leading commercial, industrial and financial interests of Northern India. When the new Council under the Montagu-Chelmsford Reforms was inaugurated in the Punjab, the Chamber was, through a regrettable oversight, deprived of the seat which it held and provision was made for only two seats out of a total of 97, for the representation of commercial, trading and industrial interests, one of which was allotted to the Chamber jointly with the Punjab Trades Association, a body whose interests are not only quite different from but at times contrary to those of the Chamber.

Commercial and industrial interests however received much greater representation in other provincial Councils, there being 15 seats in Bengal, 7 in Bombay, 5 in Madras, and 3 in the United Provinces. The commercial and industrial interests of the Punjab and Delhi are more important than those of the United Provinces, though representation on the Council happens to be in inverse ratio. With its headquarters in Delhi, the Chamber has branches in Lahore and Amritsar and has behind it a record of useful work extending over nearly three decades. It is one of the few Chambers of Commerce in India on which both Indian and European business interests are represented on a footing of equality. It may interest the Franchise Committee to read the following resolution which was passed unanimously at the Annual Meeting of the Associated Chambers of Commerce of India and Ceylon in 1921 :—

> "That inasmuch as commerce and industry of Delhi and the Punjab will not have any representation in the Punjab Legislative Council, Indian Legislative Assembly and the Council of State for the present term of three years, and that the Punjab Chamber of Commerce have been deprived of the independent representation they had enjoyed in the Punjab Legislative Council from the beginning of the Morley-Minto Reforms, and whereas under the present Reforms Act the Legislatures in India have been considerably enlarged this Conference urges the Government of India to allocate to the Punjab Chamber of Commerce, which is the only representative commercial body in Delhi and the Punjab, adequate direct representation in the Punjab Legislative Council as soon as the electoral rules can be revised, thereby giving due recognition to the claims of the important commercial communities of Northern India."

The grievances of this Chamber in the matter of representation in the Legislature have been repeatedly brought to the attention of Government and the personal notice of His Excellency the Viceroy, Lord Reading. When they were laid before

the Reforms Commissioner (Sir William Marris) in July, 1920, he, recognising the justice of the case, referred it to the Secretary of State by cable but it was then too late ; the electoral rules had finally been passed and no alteration in those rules could be contemplated for at least ten years. But promises were held out to the Chamber that the matter would not be lost sight of if and when the rules were revised. The Chamber requests the attention of the Franchise Committee to the appendix* to this memorandum which gives a copy of the relevant documents.

The Chamber had had to go without its share of adequate representation for the last ten years but they request that in the revision of the constitution now to take place the Franchise Committee will recognise the justice of its claim and make provision for its proper representation in the Punjab Legislative Council and in the Central Legislature.

Stated briefly the Chamber's submission is that trades should be entirely separated from the commerce and industry constituencies ; that the Chamber should be allotted two seats in the Punjab Legislative Council to represent Commerce and Industry, and that in the event of the creation of an Upper House in the Punjab a proportionately adequate share of representation should be given to it.

In the Central Legislature the arrangements adopted have been prejudicial to the interests of this Chamber. Indian commerce is represented by election in the Assembly and European commerce in the Council of State but this Chamber which represents both Indian as well as European interests has no place in either. Delhi and Amritsar are the most important trade centres in Northern India and growing industrial cities which are covered by the Chamber, and it is surprising that while the general public of these cities are represented in the Assembly, commerce and industry has been ignored altogether.

The Chamber, therefore, urges that the present allocation of seats to Delhi Province as tentatively suggested by the Federal Structure Committee may be increased to two in the lower house, one of the seats being allotted to the interests that are represented by the Chamber.

Rai Bahadur P. MUKERJEE, M.L.C. } Representing the Punjab
Mr. W. R. TAYLOR. } Chamber of Commerce.

1. *The Chairman :* I see on the question of woman's suffrage you support the recommendations of the Simon Commission that wives and widows over 25 should have the right to vote ?—(*Mr. Taylor*) : Yes.

2. You accept the proposal of separate polling booths for women as far as possible ?—Yes.

3. You say you would not object to special representation of labour through trades unions provided trades unions reach the point when they represent 25 per cent. of Industry and so on ?—Yes.

4. And you suggest that the electorate for the Federal Assembly should be that which is the electorate for the existing provincial council ; that is that the legislature should be raised from one million to six millions ?—That is so.

5. I understand at the time when the Montagu-Chelmsford Reforms were brought into being, in your view there was an oversight so far as the Punjab Chamber of Commerce was concerned, an oversight which was recognised in correspondence with the Government. Can you state briefly to the Committee what your view is ?—(*Rai Bahadur P. Mukerjee*) : The Punjab Chamber of Commerce was founded in 1905. Out of eleven elected seats in the Punjab Council we were granted one elected seat in 1910 and this privilege was enjoyed till the termination of the Morley-Minto reforms. At the time of the Montagu-Chelmsford reforms when the number of elected seats was considerably increased, I think, it was due to

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* Not printed.

an oversight on the part of the Government that this privilege was reduced to an elected seat shared jointly with the Trades Association. We made representations to the Government at the time for granting us two seats in the Punjab Council and I understand that the then Reforms Commissioner, on whom we waited on deputation, sent a cablegram to the Secretary of State recommending our increased representation in the Council, but unfortunately it was too late then. We also made representations to His Excellency the Viceroy and the Secretary of State for India afterwards and we were assured that when the question of franchise was reconsidered our claim would be duly considered. In the other provinces, with the increase in the number of seats in the Legislative Councils, commerce and industry got reasonably increased representation whereas in our case it has been decreased. This briefly is our case. As regards the status of the Punjab Chamber of Commerce, in the commercial circle in India, it is the same as that of the Upper India Chamber of Commerce, Cawnpore. Both these bodies are affiliated with the Associated Chambers of Commerce of India and Ceylon and have got equal number of votes in the association.

6. How many seats for Commerce and Industry do you recommend in the next Council ?—4 for Commerce ; 2 for Industry and 2 for Trade.

7. Of those you want two for the Punjab Chamber of Commerce ?—Two only.

8. What is your membership ?—(*Mr. Taylor*) : Between 64 and 67. (*Rai Bahadur P. Mukerjee*) : It varies from 70 to 80.

9. Is it an association which is jointly Indian and European ?—(*Mr. Taylor*) : Yes, by Constitution.

10. Are they about equal in number ?—Yes, Chamber members exercising votes will be represented equally by Indians and Europeans. If there is an overflow in the number of votes they must be in the waiting list.

11. What is the qualification for membership ?—Any person or firm interested in commercial or industrial pursuits, being a British subject, is entitled to be a member, provided he conforms to the rules.

12. Are there only 80 such people in this province ? Why is the membership so small ?—(*Rai Bahadur P. Mukerjee*) : They have to be of some standing. These members can be taken as the largest merchants and industrialists in the Punjab.

13. There must be a large number of people outside : if they apply they cannot get admission ?—(*Mr. Taylor*) : That is not so : if they claim admission to the Chamber and they are suitable for membership, they are admitted.

14. The Committee decide whether they are suitable or not ?—Yes.

15. You propose two seats for the Punjab Chamber which is restricted to the society of the leading firms. How would you allot the other two seats which you propose for Commerce ? Who would elect those ?—We should give them to the Northern India Chamber of Commerce.

16. Their membership is only 50 or 60 ?—That also covers the whole of the Punjab.

17. What I am thinking of is that a proposal of this kind is made on behalf of your Chamber which consists of members who represent Commerce and Industry. Other people of a reasonably reputable kind, who are honest and so on but who are not members, can have no say in returning a member to represent their interests in trade or commerce. It ought not to be only for the aristocratic people ?—Aristocratic is not quite the way of looking at it. The subscription is pretty high, Rs. 180 a year and not all these firms can afford it.

18. The existing seat you share with the Trades Association ?—Yes.

19. What is the membership of the Trades Association ?—About 40 members.

20. That again only represents a very small number of those whom you can reasonably call traders ?—Yes.

21. You propose that that should be increased to 4 ; 2 for industry and 2 for trade ?—Yes.

22. You have not worked out in detail who should be members for the 8 seats ? —No ; we are only interested in our own Chamber.

23. *Diwan Bahadur Ramaswamy Mudaliyar :* Has a member to be voted upon ? —Yes.

24. If the Executive Committee does not decide to enlarge its membership very much, there is no use in any one applying ?—(*Rai Bahadur P. Mukerjee*) : The whole point is this : there are not so many large firms in the Punjab : as many as there are they are members.

25. What is the definition of a large firm ?—As you understand it.

26. I want to know, beyond the fact that a member should pay a certain subscription whether there are any tests provided for in the rules whereby a firm can become a member ?—Respectability and standing.

27. And of that test the sole judge is the executive committee ?—Yes.

28. Do you consider that this right of electing a member to the Legislative council is a valuable right and therefore there will be a tendency on the part of members not to increase the membership ?—No : on the contrary many new members do come in.

29. What was the size of your Chamber in 1921 ?—It varies from 70 to 80.

30. Is the candidate to the Legislative Council first suggested by the executive committee ?—Yes.

31. And put before the full Association for acceptance ?—Yes.

32. So in point of fact it is not the 60 or 80 members ; it is the Executive Committee who elect ?—We have two entirely separate bodies electing one member to the council.

33. Therefore it is a joint meeting of the two executive committees ?—(*Rai Bahadur P. Mukerjee*) : They never meet jointly.

34. You said that the candidate is first selected ?—By the different bodies. As it is, this seat is held jointly by the Trades Association and the Punjab Chamber of Commerce. The Trades Association may put up a member and the Punjab Chamber of Commerce may put up another member. It actually took place in the first election.

35. How is it decided ? By joint voting ?—By election.

36. There is a sort of compromise between the two bodies ?—There is no compromise at all.

37. You just now said that the Executive Committee first chooses ?—The Executive Committee of each body nominates or recommends a candidate to stand for election.

38. I merely want to get at facts. If you hear me the position will be made clear. When a vacancy to the Legislative Council arises, I understood from you that the Executive Committees of these two associations first consider the question and decide who is the most suitable candidate for being suggested to the general body of members ?—You have put a wrong question. These two bodies don't put up.

39. Who does it ?—I can speak with regard to my own body. So far as my Chamber is concerned the Committee generally suggests the name of the candidate.

40. To whom ?—To the members.

41. Therefore it is with the sanction of the Committee and the practical recommendation of the Committee that the candidate stands ?—Yes.

42. Except in the first election, the recommendation of the Committee has been accepted by the general body ?—Two candidates went, one from the Punjab Chamber and the other from the Trades Association.

43. Recommended by the two Executive Committees separately ?—I don't know about the other candidate. The Chamber of Commerce candidate stood on the recommendation of its Executive Committee.

44. Have you any objection if firms who pay a certain amount of income-tax are directly enrolled as electors in a constituency without any reference to any or either of your association that have been made a commerce constituency ?—It is not in our memorandum. I cannot commit my Chamber to any such view. I must consult, before giving any opinion.

45. *Mr. Miller :* With regard to the Diwan Bahadur's question about putting up a member, it is open to any member of the Chamber to nominate somebody else other than a member of the Committee for election ?—Yes.

46. You don't force a particular person ?—No.

47. Under the Minto-Morley Reforms you had independent representation and the Trades Association were not joined with you ?—They were not.

48. Later on under the Montagu-Chelmsford Reforms they were tacked on to you and therefore you are worse off to-day than before ?—Yes.

49. You consider all the industries are represented in your Chamber ?—The main industries.

50. Would there be any industries represented by any Chamber not members of your Chamber ?—May be one or two.

51. They can also fairly claim to have representation in the industries and commerce constituency ?—Yes.

52. You are a member of the Associated Chambers ?—Yes.

53. And you say you are not represented in the Assembly ?—Through the Associated Chambers ; only indirectly.

54. There is that one representative ?—What we mean is that we have not got any elective representation in the Assembly.

55. If every Chamber had a representative in the Assembly, it would become a very large body. Would you be prepared to consider something of this sort ? There may be 4 members in the Assembly elected through the Associated Chambers. One time it may be from Punjab, another time from Madras or Cochin or anywhere else. Would you agree to have 4 representatives coming in rotation from different provinces ?—You restrict the number to 4. There is another organization, the Federation of Indian Chambers of Commerce and Industries. If they are given seats as a parent body, and then the individual members, for instance, the Indian Merchants Chamber of Bombay, the Bengal National Chamber of Commerce or the Southern India Chamber of Commerce, separately get a seat each, then I cannot accept your proposal—that the Associated Chambers should be given 4 seats and their affiliated bodies should be represented through them. If the Federation of Chambers of Commerce secure without the affiliated bodies getting any representation, then I accept your proposal. The Ahmedabad Millowners' Association, the Bengal National Chamber of Commerce, the South India Chamber of Commerce have got a seat each in the Legislative Assembly. So if the parent bodies and the affiliated bodies get representation, then we claim that our parent body and affiliated Chambers of Commerce should also be represented according to their status and standing.

56. Assuming both the Federated Chambers and the Associated Chambers had a similar representation, you would agree to something of that sort ?—Yes.

57. What number would you propose ?—At present the Indian Chambers of Commerce have got four seats in the Assembly whereas European interests are

represented in the Council of State. It depends on the increased number of seats in the Assembly. I think, it will serve our purpose if a proportionate increase is made in the Central Legislature.

58. As regards labour, I take it that you consider that at present trade unions are not representative ?—No.

59. But if their membership is increased to 25 per cent. of the labour engaged in the industry, you think they would form fair constituencies to represent labour ?—That is what we think.

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60. *Mr. Butler:* At the end of your memorandum you say "the Chamber therefore urges that the present allocation of seats to Delhi Province as tentatively suggested by the Federal Structure Committee may be increased to two in the lower house, one of the seats being allotted to the interests that are represented by the Chamber". How does that affect your interests ? You have said in answer to Lord Dufferin that the merchants living in Delhi cannot have a vote. You are not concerned with their interests therefore ?—We were here talking about representation in the provincial council. Delhi being separate from the Punjab, those members who are neither resident nor work for gain in the Punjab are not represented in the Punjab Council. You are now raising the question of the Central legislature.

61. That would not at all go towards satisfying your demand in the province ?—No.

62. *Major Milner:* May I have a copy of your Rules ?—Yes. (A copy was handed over).

63. Is there any definition of those who are eligible for membership ? Here it is said " every person engaged or interested in mercantile pursuits shall be eligible for election "?—We have kept it as wide as possible.

64. That would include people engaged in trade of any kind ?—It would. A member of the Chamber of Commerce automatically gets a status. We are therefore careful in the election of members.

65. I don't dispute that according to your Rules anyone duly elected by the Committee and interested in mercantile pursuits is eligible for membership ?—Yes.

66. Therefore, whether he is in commerce, trade or industry of any kind he is eligible for membership ?—At the discretion of the Committee. We may not be very accurate in our expression. Our tradition is that no trader is allowed to be a member.

67. This copy is dated 31st April 1931. I don't think you ought for the purpose of franchise to devise a different interpretation from that set out in your Rules which are not a year old. I am putting it to you therefore that everyone engaged in trade, commerce or industry can be a member. We have had witnesses here asking for representation for trade, for industry and you are asking for commerce. Your Chamber of Commerce could include all the categories ?—(*Mr. Taylor*) : It could. The Chambers of Commerce in India are generally bodies of large manufacturing concerns, large industrial concerns and large commercial firms and not small ones.

68. That is simply because the Association having been set up by the larger firms engaged in mercantile pursuits like all other vested interests endeavours to keep the circle as small as possible ?—(*Rai Bahadur P. Mukerjee*) : The trades people have got an association of their own.

69. Because you won't have them in your Association ?—Their interests are different.

4th April 1932.] Rai Bahadur P. MUKERJEE & Mr. W. R. TAYLOR. [*Continued.*

70. How many people are engaged in mercantile pursuits in the Punjab ?—If you give a wide meaning to the word ' mercantile ' it would be about 50,000 or it may be more.

71. Take the moderate figure of 50,000. You represent 80 out of 50,000. You represent a very infinitesimal percentage of those engaged in mercantile pursuits ? —If you take all the bazaar shopkeepers their number would be that much. But actually those engaged in commerce and industry . . . . .

72. As recognised by your Committee ?—(*Mr. Taylor*) : As generally accepted.

73. How many are they ?—I should think a few hundreds only. The number of industrialists in the Punjab is small.

74. 500 ?—No.

75. 400 ? Your Association do not represent anything like 25 per cent. of those engaged in mercantile pursuits ?—No.

76. I say, if I may, with respect, I don't understand why you should lay it down that in the case of representation of labour by trade unions, the trade unions must contain 25 per cent. of the labourers in the industry when you do not suggest that in the case of the Chambers of Commerce ?—(*Rai Bahadur P. Mukerjee*) : I think we cover 80 per cent. of the people interested in mercantile pursuits paying custom duties and income-tax, etc.

77. Having seen the point of my question you now say that you cover 80 per cent. Is that the only answer you wish to give to my question as to why there should be this discrepancy ?—(*Mr. Taylor*) : There is another answer. The Chambers of Commerce are organised bodies and at present they have got representation. The labour trade unions in this country are so far very small and they are not if I might say, with respect to Mr. Ghani, efficiently run. There is a difference between the trade unions and the Chambers of Commerce. The Chambers of Commerce are organised bodies and they are affiliated to one Associated Chamber of Commerce and they have at present representation. Trade unions in this country are very young and they are not yet generally organised as they ought to be. The only union which could be said to be organised is the railway union. Others are local unions. They are localised and very small and have not reached a proper stage so as to be able to represent others. They have not imbibed the spirit of trade unionism.

78. Are you registered under any Act of the Legislature ?—The Associated Chamber of Commerce is certainly registered and recognised.

79. Are you registered with the Government ?—Yes.

Under what statutory sanction ?—

The Chairman : They must be registered.

80. *Major Milner :* I am not aware of any system of registration of these bodies. The simple point is this. Trade unions certainly for the purpose of franchise would have to register themselves and a Tribunal would be set up to allocate seats to them. There would be some form of official recognition and control. In those respects, I suggest, they are far in advance of the Chambers of Commerce which have no registration, and I think I am right in saying over which the Government have no control ?—There is a special Act for Trade Unions and that does not apply to the Chambers of Commerce.

81. You don't publish any accounts ?—We do.

82. To the public ?—To our members.

83. Not to the public generally ?—Not to the public, but they are open.

84. If the public wants to know the exact state of affairs ?—They can get a copy. They are reported in the newspapers.

85. I suggest to you, in view of those considerations, if the franchise is to be granted to the Chambers of Commerce and yours in particular would it not be reasonable if we take away that 25 per cent. suggested limit on trade unions provided they

are properly constituted and registered and seats are allocated to them by an independent tribunal as recommended by the Whitley Commission and generally steps are taken to ensure that they were reasonably substantial bodies and well founded ?—We agree in principle that labour should be represented through trade unions.

86. You are not adamant on that point if other means are adopted to ensure that trade unions are reasonably substantial bodies ?—We want labour to be represented for labour interests and not for political purposes.

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87. *Mr. Ghani :* Supposing labour is not organised and supposing there are no trade unions, are you in favour of giving special representation to the unorganised labour ?—My personal view is that it should be, and that by nomination.

88. On what basis will you have nomination ?—I have not discussed that question with my Committee.

89. Supposing you are going to have responsible Government—under responsible Government there will be no room for nomination—would you be willing to give special representation to labour ?—I think the question of nomination for labour will have to be accepted.

90. Assuming that a special constituency for labour is formed and only industrial labour is enfranchised, will you agree that they should elect their own representatives ?—Certainly.

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91. If 25 per cent. of labour is organised, then you would give representation on what grounds ?—Then labour would not submit itself to be exploited.

92. On what basis have you come to that figure of 25 per cent.?—On the rule of thumb basis.

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93. *The Chairman :* Do you consider it vital under a system of provincial autonomy that each province should have one commerce representative in the National Assembly ?—At least one.

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94. *Mr. Butler :* You say 'in the event of the creation of an upper house' in your memorandum. Will you be in favour of the creation of an upper house ?—We have stated in our memorandum to the Simon Commission that we are ordinarily not.

95. But, you must remember that certain organizations have modified their views about the upper house ?—We have not discussed that point very thoroughly. But, broadly speaking, when we discussed this question of franchise, we decided that our memorandum to the Simon Commission still held good.

Memorandum submitted by the INDIAN CHAMBER OF COMMERCE.

One important point raised in the replies is that this Chamber claims the right to representation in the Local and Central Legislatures as other European or Indian Chambers are in their respective Provinces. It is a matter of regret that Indian Commerce did not make any claim for this right before the introduction of 1919-20 Reforms.

I.—PROVINCIAL LEGISLATURES.

1. EXTENSION OF THE FRANCHISE.

The Committee of the Indian Chamber of Commerce are in favour of adult franchise as the people in the Punjab who are very intelligent and therefore they shall be able to exercise the right of vote in an admirable manner. The reason for this is that they belong to martial races and by their association with the army and with the spread of education they are second to none in the world in their foresight and common sense in using the votes.

Memorandum by the INDIAN CHAMBER OF COMMERCE. [*Continued.*

2. FRANCHISE QUALIFICATIONS.

In case the adult franchise is not considered practicable due to any reason, the Committee of the Chamber consider that the franchise qualifications should be as wide as possible. The Committee are not in favour of separate electorates and they wish that joint electorates should be introduced so that all the communities must be inter-dependent on each other. The seats can be reserved for a minority community if they want but only for a limited period, but the Committee of the Indian Chamber is opposed to communal representation as it will be noticed from the memorandum* submitted to the Indian Statutory Commission.

Yes, the Committee are in favour of introducing a qualification based on education, independent of property and they suggest lower primary examination shall be sufficient qualification to vote.

Yes, existing military service qualification to vote should continue.

3. WOMEN SUFFRAGE.

The Committee of this Chamber are in favour of increasing the women's suffrage in the ways suggested by the Franchise Sub-Committee of the Round Table Conference.

(*b*) The Committee are not in favour of separate electorate.

(*c*) The Committee consider that now the women are taking part in all activities of the nation and therefore they can hold their own in elections.

4. REPRESENTATION OF DEPRESSED CLASSES.

Practically there is no depressed class in the Punjab. In fact the Land Alienation Act is responsible for keeping them depressed as they cannot acquire land and thus increase their status.

5. REPRESENTATION OF LABOUR.

By the widening of the basis of suffrage there is no necessity for special constituencies for labour of any kind. But in case adult franchise is not introduced the Committee are in favour of granting of special representation on the basis of special representation for Commerce, Mining, etc.

5-A. REPRESENTATION OF SPECIAL INTERESTS.

By the introduction of adult franchise there is no necessity for granting any special representation to any interest in the legislature. In case adult franchise is not introduced special representations should continue.

The Indian Chambers in all Provinces were granted direct representation excepting the Indian Chamber of Commerce, Lahore, as somehow or other no claim was made. The Committee claim the right to send one representative to the Local Legislature and one to the Central Indian Legislature in the same manner as other Chambers are granted representation in other Provinces.

II.—THE FEDERAL LEGISLATURE.

6. ALLOCATION OF SEATS TO BRITISH INDIAN PROVINCES.

The Committee of the Chamber agree to the allocation of seats as proposed by the Federal Structure Committee.

(*a*) and (*b*) The Committee agree with the proposal that the representatives on the Upper Chamber should be elected by the Provincial Legislature as suggested

* Not printed.

in the Memorandum of this Chamber to the Indian Statutory Commission, paragraph 7, page 13.

(*c*) The Committee are not in favour of the proposal at all as they consider that communal electorates are negation of democratic principles.

7. REPRESENTATION OF WOMEN, LABOUR AND DEPRESSED CLASSES.

The Committee have nothing further to add.

8. GENERAL.

All the points have been dealt with in a clear manner and the Committee have to offer no observations on the working of the existing franchise and electorates rules except those mentioned in this Chamber's memorandum * of 1928.

Mr. P. S. SODHBANS,† Representing the Indian Chamber of Commerce.

1. *The Chairman :* Mr. Sodhbans, will you tell me exactly what your Chamber is ?—My chamber stands for Indian industrial, commercial and agricultural interests.

2. What is the membership ?—About 50.

3. What are the qualifications for membership ?—Factory owners, big business-men and agricultural landlords, bankers, industrialists and others who are connected with commerce and industry are eligible for membership.

4. Does it consist exclusively of Indian members ?—Yes.

5. In what respect does it differ from the Chambers of Commerce whose witnesses were before us ? I am referring to the witnesses who came on behalf of the Punjab Chamber of Commerce and the Northern India Chamber of Commerce ?—They are mostly importers of British and foreign articles. Most of the members of the Indian Chamber of Commerce are manufacturers. They own glass factories, cotton mills and banking and insurance houses. We represent also agricultural interests. We have members who are owners of printing presses and so on.

6. You have no share in electing members to the Legislative Council to-day ?—No.

7. For your Chamber alone you claim the right to send one representative to the legislature ?—Yes.

8. Would you object to being combined with the other associations in one constituency for electing members to the legislature ?—We do not want to be combined with the other bodies, because our interests are absolutely divergent. In the matter of the ratio question, for instance, we would look at it from the Indian point of view.

9. You could not fight that question out inside the joint committee ?—No.

10. Did you hear the evidence given by others ?—Yes.

11. Do you agree, generally speaking, with the ideas expressed by them about representation for commerce and trade unions in the legislature ?—My idea is that they are in favour of adult franchise and in case it is not granted, then they claim special representation.

12. What is your view ? Does your chamber want adult franchise ?—They want only commerce representation on a par with the representation given to Indian Chambers of Commerce in other provinces.

13. You want representation on the same basis as other Chambers of Commerce ?—Yes.

* Not printed.

† This was the only witness representing the Indian Chamber of Commerce. The name of Lala Harkishen Lal, which appears on page 257 of Vol. I, should be deleted.

14. *Mr. Butler:* Will you be in favour of an upper house ?—No. My chamber is not in favour of an upper house.

15. *Mr. Ghani:* You are in favour of adult franchise ?—Yes.

16. You are also in favour of the group system ?—My chamber is not much in favour of the group system. They are in favour of adult franchise.

17. Your chamber is in favour of direct adult franchise ?—Yes.

18. Do you think it will be manageable ?—If it is manageable in other countries, why should it not be so in our country ?

19. It is not manageable in Syria, etc.?—The case of the Punjab is a little bit different. We are in favour of adult franchise because the three communities inhabiting the Punjab are all of them demanding special representation to themselves. Under such circumstances, if there is adult franchise, all communities will be fully satisfied and each will respond to the other.

20. Have you considered the question of the staff that would be necessary for preparing the electoral rolls under adult franchise and the money that would have to be spent ?—That is a point that has not been considered by my Chamber.

21. *Mr. Hans Raj:* I see from your memorandum that if adult franchise is granted, you would not give any special representation to any interest ?—Certainly not.

22. You would deny representation to labour also ?—If capitalists are not demanding special representation, why should labour ask for it ?

23. Do you honestly believe that labour will be returned from general constituencies under adult franchise ?—Why not ? If they are good workers, why should they not be returned ?

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Memorandum submitted by Lala JAGAN NATH AGARWAL, M.A., LL.B., M.L.A., Advocate, Chairman, High Court Association, Lahore.

I.—PROVINCIAL LEGISLATURE.

1. EXTENSION OF THE FRANCHISE.

(*a*) I am of opinion that the Franchise should be extended up to 10 per cent. of the population but not more at the present stage. This can be done effectively by lowering the property qualification but also by insisting on a literacy test among voters. I would roughly extend Franchise as below :—

(1) To all owners of land paying Rs. 10 or more in land revenue.

(2) All persons paying income-tax.

(3) All owners of immoveable property to the value of Rs. 2,000 or more.

(4) All agricultural tenants cultivating not less than 19 acres of irrigated or 24 acres of unirrigated land.

(5) All persons paying Rs. 72 per annum as house-rent.

(6) All members of local bodies.

(7) All village headmen and village officials such as Lambardars, Sufedposhes, Inamdars and Zaildars.

(8) All retired commissioned and non-commissioned officers and men of the Indian Army, Indian Navy, Royal Indian Marine and Air Force.

(9) All *ex*-members of the Council of State, Legislative Assembly and Legislative Council in case not otherwise qualified.

Memorandum by Lala JAGAN NATH AGARWAL. [*Continued.*

I am opposed to indirect election for the Provincial Council. The voter must directly cast his vote in favour of the candidate subject to the following qualifications:—

(1) That in Constituencies which are very scattered particularly in rural areas or inaccessible places an attempt should be made to have voting by primary groups of about 20 or so in convenient places and such representatives should on the polling day give a vote in favour of the candidate.

(2) That such a system would only be supplementary to direct election and not in substitution of it.

(3) That such indirect election would only be resorted to as a temporary expedient as it is likely to be abused.

(4) The voters coming by the group system should vote in the same constituency as directly qualified voters.

2. FRANCHISE QUALIFICATIONS.

There is some disparity in the operation of the Franchise qualifications in the urban as compared with the rural area. I am, however, of opinion that the constituencies should not be demarcated as urban and rural, but they should be territorial constituencies in which urban area should be amalgamated with rural area, except in the case of large towns like Lahore and Amritsar.

I think that it would be highly undesirable to introduce different Franchise qualifications for different communities. Uniformity of Franchise is more desirable than to make the voting strength of each community proportionate to its number.

I am in favour of retaining the military service qualifications and extending it, so as to include service in the auxiliary and territorial forces.

3. WOMEN'S SUFFRAGE.

I am of opinion that the proposal of the Statutory Commission that the wives and widows of men entitled to vote under the property qualification, should be enfranchised, and that in addition an educational qualification should apply to women over 21 as well as to men. In this way a sufficiently large number of women would be enfranchised. I would not go much beyond this at the present time.

4. DEPRESSED CLASSES.

The problem of depressed classes is not a serious one for this Province. There are not many classes that are actually regarded as untouchable except Churas (Sweepers) actually engaged in the work of scavenging. Most of the classes known as depressed in other Provinces have been reclaimed by Hindus, Sikhs or Muslims and I am definitely opposed to any system of separate electorates which would perpetuate the distinction between depressed classes. In fact there are depressed classes among all the three principal communities but in a very small degree. If necessary a certain number of seats may be reserved for the depressed classes though joint electorates with due regard to their numbers on the electoral roll.

5. REPRESENTATION OF LABOUR.

Whenever labour is organised in trade unions I would give them representation. I think agricultural labour would come in under the group system. I cannot think of any alternative for them at the present time.

5-A. REPRESENTATION OF SPECIAL INTERESTS.

I would retain the representation of special interests as they exist at present.

Memorandum by Lala JAGAN NATH AGARWAL. [*Concluded.*

II.—THE FEDERAL LEGISLATURE.

For the federal legislature I proceed on the basis of the allocation of seats as mentioned in the 2nd Round Table Conference Report. This Province would have 17 seats in the Upper Chamber, 26 in the Lower Chamber. I would suggest that representation in the Upper Chamber should be the representation of the Province through their legislatures. For that purpose indirect election by a single transferable vote may be adopted.

For the Lower Chamber I would not have indirect representation in any shape or form. I would have direct representatives of the people casting their votes for the candidates of their choice directly. I do not think the difficulties of canvassing of large areas are insuperable. Direct election has been found to be quite suitable and I will maintain it. It would be better if the number of constituencies could be roughly co-terminous with a district in the Province.

GENERAL.

In the end I would only point out that democratic institutions would not make satisfactory progress unless electorates based on differences of religion were done away with. It should be the aim of a progressive constitution to group people according to economic and political ideas rather than on differences of religion. Although the question is excluded from the purview of the Franchise Committee I cannot help remarking that the present opportunity for abolishing or restricting the scope of communal electorates should not be entirely lost.

Lala JAGAN NATH AGARWAL, M.A., LL.B., Advocate, representing the High Court Association, Lahore.

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1. *Mr. Chintamani :* You say the indirect qualification should only be resorted to as a temporary expedient, as it is likely to be abused. Why do you suggest it even as a temporary expedient ?—Because I find that the extension of the franchise in some cases may make the electoral machinery unworkable ; the second reason is that some constituencies will be scattered too wide.

2. So far no suggestion has been made at Lahore for the extension of the franchise beyond 10 per cent. Do you think your administrative machinery will not be able even to cope with that much ?—I don't think it will break down.

3. If by direct election somewhere in the neighbourhood of 10 per cent. is enfranchised and you go in successive stages until adult suffrage is reached, will you insist that the indirect system is likely to be abused ?—I will be very glad to do without it.

4. With regard to franchise qualifications you express the opinion that "the constituency should not be demarcated as urban and rural but that there should be territorial constituencies in which the urban area should be amalgamated with the rural area, except in the case of large towns like Lahore and Amritsar". Will you explain briefly what exactly you mean ?—I mean that the division of rural and urban is artificial and tends to create a division where in reality none exists. Local contiguity is the best bond of union and if urban and rural constituencies are one it will lead to a better understanding.

5. You make an exception with regard to Lahore and Amritsar ?—For the reason that some of the villages will be practically lost.

6. You are aware that in the United Provinces a system like what you suggest here has been in force for the last several years. There are 8 cities, six of them with more than a lakh of population, which form the urban constituency. In the

remainder of the province it has been recognised that what are called towns is an aggregate of villages and there is no conflict of interest and from every point of view it has been found very desirable to have one constituency. From your knowledge of the working of the institutions in the Punjab and your knowledge derived from the neighbouring provinces, would you have any hesitation in adopting that system here ?—I stand for the Assembly constituency in which there is no distinction between urban and rural areas and I find, except in large towns, that the bond of union in the small towns and villages is practically the same.

7. In the proposals you have put forward, may I take it that you have given weight to the necessity of giving the vote to non-agricultural tribes and not merely to agricultural tribes ?—If I may say so, in this category instead of saying " persons paying income tax " I should say " persons paying any tax ".

8. You have seen the proposals of Pandit Nanak Chand ; do you generally approve of them ?—Yes.

9. *Diwan Bahadur Ramaswami Mudaliyar :* You are in favour of an Upper Chamber and you say representation should be through the legislature ?—Yes.

10. So far as the lower house is concerned you would have indirect election ?—I don't think election to the Lower House is justified unless it is by the direct system. In the Upper House I am prepared to have it through the legislature because we may be having the Indian States in the Federation and you must give them this consideration.

11. It has been suggested that the constituency of the Legislative Assembly is very large and that there is no real touch between the member and the constituency. With your experience will you say, on the basis of the increased representation that would come to this province and the restricted territorial area of the new constituency, it would seriously be suggested that contact would be a difficult problem ?—As it stands I could go round my constituency in three days ; if it is smaller there will be no difficulty.

12. *Mrs. Subbarayan :* You have not said anything about women on the legislatures. Do you think women would have any chance in the general elections in the Punjab ?—I am afraid in this hurly-burly women would not come near it. I cannot think of any alternative. I would like to see women coming in.

13. Do you agree that there should be some kind of provision to secure the representation of women on the legislatures ?—Yes, there should be some method of election.

14. *The Hon'ble Mary Pickford :* At the beginning of your memorandum you say you want to lower the property qualification and you also say you would insist on a literacy test for voters. Would you not allow any illiterate voter at all whether he had a property qualification or not ?—I would make it necessary that he should have a standard of education ; I would say that he should be able to read and write. That would be one method of promoting literacy.

15. That would disfranchise a very large number of voters who at present enjoy the vote ?—Mere qualification to read and write would not disfranchise a large number ; they can read and write in some language.

16. Do you think that at present the male voters are all literate ?—A fairly large number are able to read and write.

17. Unless they can pass some literacy test you would not enfranchise them at all ?—I think if one could write a sentence it is good enough. They will acquire it in time.

18. *Lord Dufferin :* Are you in favour of a second chamber in this province ?—No ; we have a second chamber in the Central legislature and I think that is good enough.

19. Why do you not want to have one in this province ?—In the provinces a second chamber is unnecessary. All the talent we have is very useful in one chamber.

20. You know that there is always a large amount of talent belonging to people who are not willing to stand for ordinary elections or are too old to do so, but who would be of great value to the Government and the opposition. Don't you think the second chamber would be a good method of utilising this talent ?—I think there would be all kinds of reactionary elements in the second chamber and I would go without it.

21. *The Chairman :* What electioneering do you do ? I imagine you electioneer before the elections. How much contact do you keep with your constituents ? Do you meet them regularly during the year ?—As a matter of fact these times have been abnormal and it has not been possible to go and address electors or hold meetings or discuss politics.

22. How long have you been a member of the Assembly ?—Only this last time.

23. Do you think that if you increased the franchise and the number of voters is increased from one million to six millions, a member would be forced to keep a pretty active touch with his constituency ?—Yes.

24. Otherwise he loses authority unless he goes to the constituency and educates them and gets educated ?—Yes ; even now during the Assembly Session I receive from 50 to 100 communications.

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25. In answer to Mr. Chintamani you said you would replace income-tax by any tax. What is the lowest figure you would put it at ?—Rs. 2.

26. Supposing a voter simply to have a vote pays that amount in a single year when the roll is under preparation and next year he says his income has fallen below the minimum ?—It is very simple to safeguard against that. A man who has paid for three years can have the vote.

27. You don't extend the right of vote to a man who pays land revenue less than Rs. 10 ?—The whole point is to enfranchise people with qualifications other than land. It is time we got away from land.

28. Don't you think that income is the basis of vote ?—Yes.

29. And the possession of property ?—Yes.

30. The amount on which income tax will be levied in the future is Rs. 1,000. That will give you a much larger number of voters ?—The number of income tax assessees has gone up by 3 or 4 lakhs in the whole country.

31. You have brought it down from Rs. 4,000 to Rs. 2,000. That will be another basis of qualification ?—I want to depart from immoveable property ; we have had too much of it and for too long. If you want every matriculate or every wage earner to have a vote I shall be happy.

32. *Khan Bahadur Shaik Din Muhammad :* You have no Muhammadan constituency ?—No.

33. Did you have rural members in the Assembly representing the Muhammadan constituency ?—Yes.

34. You think in the rural areas the disparity in the vote will not be so large as to endanger rural voting ?—No, I think a large number will have rural voters.

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Memorandum submitted by Major D. VANRENEN, Chairman of Executive and Finance Committee, Country League 1930-31, and leader of delegation of Punjab Zamindars' Association that gave evidence before the Indian Statutory Commission, 1928.

I recognise the need for a wider franchise. I am, indeed, in favour of adult suffrage, but direct election would be impossible, Even ten per cent. of the population would not be capable of casting an intelligent vote. But every one should have the right, at least, of electing someone who could do so, and, therefore, I consider that a system of indirect election is needed. The system I would advocate is as follows :—

(*a*) Primary voters to elect village panchayats,
(*b*) Village panchayats to elect members of district boards,
(*c*) District boards to elect members for Provincial Councils,
(*d*) Provincial Councils to elect members for Federal Legislature,

in each case by a single transferable vote.

The advantages of the above proposals, in my opinion, are—

(*a*) the system is the best suited to the mentality and the intellect of the people,, it provides a natural channel: and would appeal to the rural classes, at any rate, if not to the people in the towns ;

(*b*) separate elections for (1) District Boards ; (2) Provincial Councils ; and (3) Federal Legislature would not be needed: there would be one election instead of three. It would, therefore, be economical ;

(*c*) the primary franchise could be made very wide : extended to every one ;

(*d*) it would induce a spirit of public service, and there would be a chain of responsibility. Every representative would be tested for his or her capacity for public service. The most capable would reach the highest legislative body, instead of, as at present, the less representative ;

(*e*) the most rabid communalists and demagogues would seldom succeed in being elected ;

(*f*) it would tend to diminish religious antagonisms : economic considerations would tend to predominate ;

(*g*) the wide primary franchise would give influence to the depressed classes ;

(*h*) it would revive the ancient panchayat system of self-government: a very fine one ;

I would urge the importance of making the franchise as wide as possible at the outset in order that every one may have a voice in deciding at a later stage as to what system is the most suited to India. * * * * * * * * I repeat, therefore, give as many people as possible a voice, if only an indirect voice to shape a better system, if possible.

I am very adverse to limiting the franchise to people with property and education. These are sufficient advantages without adding to them, and those possessed with them require stimulation to use them in the best way. If they do so, the best of them will succeed at the elections.

Seats in the District Boards, Provincial Councils, and Federal Legislature should be reserved for minorities, women, labour and the depressed classes, but I can see no need for providing for any other special interest, since they will become represented in the ordinary course to a sufficient extent.

Special interest.

In the event of communal electorates, I would advocate that the candidates should not necessarily be of the same community. I see no reason why an Indian should not undertake to represent Europeans, and *vice versa* ; nor a Muslim to represent Hindus and *vice versa*.

Separate Electorates.

Memorandum by Major D. VANRENEN. [*Concluded.*

The existing property qualifications for the franchise of the central legislature have proved very unfair to the rural community. A fictitiously high value is given to property in the towns, and the qualification limit in the rural constituencies is too high. The result has been that in some districts there have been or are more urban voters in a few towns than in the whole of the countryside of a district. For instance in only four towns in the Hissar district there are more voters than in the rest of the district.

Existing franchise.

I am not in favour of joint electorates with or without reservation of seats, unless there is a system of indirect election as recommended above. In the case of indirect election, I would favour joint electorates in the villages, district boards, and provincial councils with reservation of seats for minorities, depressed classes labour and women.

Major D. VANRENEN.

(*Major Vanrenen*) : When I received an invitation to answer the questionnaire I did not realise I was being asked to do so on behalf of the Punjab Zemindars Association ; nothing of that sort was said in the letter. I have submitted this memorandum as representing my personal views.

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1. *The Chairman* : You have suggested a pyramidical system of voting. You prefer that. It is quite a novel one ?—That is the system which the people themselves prefer.

2. Primary voters to elect village panchayats, village panchayats to elect members of district boards, district boards to elect members for provincial councils and provincial councils to elect members for Federal legislature, in each case by a single transferable vote. You would abolish the existing direct vote altogether ? —Yes.

3. How many villages are there in this province where you have got a panchayat ?—There are no panchayats in certain districts. For instance, there are no panchayats in the Shahpur district. There are very few districts which have formally recognised panchayats. They have all got informal panchayats. In my own estate the elders of the village form a kind of committee to look after the affairs of the village. It is quite informal. It is not recognised by the Government.

4. You are going to have an elective system and a form of legislature which will have the power to tax the people. The electoral roll must be much more definite than the informal panchayat. You have got to have certain rules. In every village you have election of the village panchayat by the system of single transferable vote ?—The panchayat system is a very ancient system.

5. Not the single transferable vote ?—No.

6. Your system is the simplest and the best suited to the country and anything that we propose is not ! I am wondering whether this universal panchayat system where the election takes place by the system of single transferable vote is really going to be as simple a thing as you say the system should be ?—That is certainly an innovation regarding the election of the panchayats.

7. I think probably everybody who has approached the subject has started off with the desire that the villages should be representative units. The difficulty is of finding a practical way in which this could be done specially in a country in which you have produced a system of election by direct votes and with which the people are widely familiar ?—We have had three or four elections only. The people are not familiar.

8. *Sir John Kerr* : You have mentioned your estate. How would you work the system. Now, where is your estate ?—70 miles from here.

9. What is the area ?—7,500 acres. It consists of 6 villages.

10. You have got the same informal panchayats in your estate ?—Yes.

11. Are they appointed by you ?—No, they are more or less informally chosen in the village by the tenants.

12. By your tenants ?—Yes.

13. Who holds the election ?—There is no formal election. The leaders of the sections of tenants really form that panchayat.

14. How many village panchayats have you got in this area that you mentioned ?—6.

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15. How often do they elect ?—There are no fixed periods. Once a man becomes the leader of this section of the town or the village he remains the leader till he dies.

16. And that is the system which you call election by single transferable vote ?—It could be made more formal.

17. Election is to be for life ?—I think they could be elected every 5 years or so.

18. By the single transferable vote ?—I won't insist on that. The simpler the better for this country.

19. You would advise us to adopt the system you have in your estate members being elected not for life but for 5 years ?—Yes.

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20. *The Hon'ble Mary Pickford :* Am I right in thinking that under the Morley-Minto reforms there was a system by which the District Boards elected to the Councils ?—Yes.

21. Was that system popular ?—It was not popular with certain classes after the introduction of the new Reforms because they thought that the Deputy Commissioner exercised influence or had too much influence. That system was not popular laterly because the advanced politicians and the politically minded thought that the Deputy Commissioner who presided over the District Boards would have too much influence.

22. Do you think it will be more popular under the new Reforms ?—Amongst the rural classes, I think so. In fact, every Zamindar I spoke to except the politically minded zamindars were in favour of that system.

23. *Sir Sunder Singh Majithia :* The Chairman asked you whether these people in the villages would understand this system of the single transferable vote ?—They would not take long in learning it.

24. They would take to it. They would not understand the difficult system prevailing at the present moment ! You seem to be dealing only with rural people and not the town people ?—Yes.

25. Would you leave out the town people altogether ?—I will deal with them in a similar way.

26. And form these small panchayats ?—Not panchayats ; you have your municipal committees there. I think that ought to be the system of election. First of all election to the municipal committees and then from municipal committees to the provincial councils.

27. You have said in your statement that seats in the district boards, provincial councils and Federal Legislature should be reserved for minorities. You have not said on what basis you would fix those seats ?—That would require a long working out.

28. Would you adopt the population basis ?—I am not in favour of the population basis.

29. Then what is your idea about the reservation of seats for minorities ?—My idea is that in the case of the depressed classes there ought to be a certain number of seats reserved because they may not be able to get elected in the ordinary way.

30. You would have seats for labour, depressed classes and minorities. What about women ?—There ought to be a number of women also.

31. You would have to settle some sort of basis ?—You should have the minimum basis at the very beginning of this new system. In this country, the idea of giving the women the franchise is entirely a novel one.

32. You say further in the next paragraph that Muslims, Hindus and Europeans should be allowed to stand also for communities other than their own. Do you think they would have a chance of getting elected ?—They might not have the chance.

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33. *Khan Bahadur Aziz-ul-Huque :* Is there really any difference between a man who pays Rs. 500 revenue to the Government and a man who pays Rs. 50 as land revenue so far as the land tenure system is concerned ?—No.

34. Is there any reason why, in view of the fact that Punjab is a country mainly of landholders, big and small, the landholders in the Punjab who pay more than Rs. 500 revenue should have any special representation ?—I don't think they ought to have.

35. I take it that you as Chairman of the Executive and Finance Committee, Country League and as representative of the Punjab Zamindars' Association are of the opinion that there is no necessity of providing for landholders specially ?—I am giving evidence in my personal capacity.

36. Your experience is of great value ?—I was Chairman of the League up till last year.

37. As *ex*-Chairman do you hold the opinion that Zamindars need have no special representation. There is no diffierence in interests ?—As a private individual I hold that opinion.

38. *Major Milner :* Do you take any interest in the election of the panchayats in your area ?—No. They address me and whenever I go round the villages, they come and see me.

39. They come and see you before election ?—If there is any matter affecting the tenants the members of the panchayat come up and discuss with me.

40. Do you express an opinion as to who or who should not be elected ?—No.

41. *Mr. Miller :* In view of your experience of rural areas, I should like to know what you think of the group system ?—I am not in favour of the group system. When I read your questionnaire, I understood the group system to be on the model of the panchayat system. I am not in favour of 10 men electing one man to vote for them. I think, it would become a farce.

42. *Lord Dufferin :* Because Punjab is a country of landholders, you think there need be no special representation for the landholders. There are a great majority of people who are classed as landlords but are really agriculturists. There is a wide distinction between the interests of the big zamindars and the majority of so-called zamindars who actually own very little land and have very little influence and very little interest in the country. Do you still think that there is no difference between the interests of small zamindars and big landlords ?—There is no difference except in regard to the area of land they hold.

43. There is no difference between a man who owns 3 acres and 500 acres? —There is. The man who owns 3 acres probably irrigates and works the land himself.

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Memorandum submitted by Mian MUSHTAQ AHMED CURMANI, M.L.C., Khan Bahadur Mian AHMED YAR KHAN DAULTANA, M.L.C., and Syed MUBARAK ALI SHAH, M.L.C.

We are definitely of the opinion that population of each community must be reflected in its voting strength. We have given careful consideration to this matter with a view to achieve this end, and have come to the conclusion that there is no other way of securing it except by having resort to adult Franchise. But we also realise the difficulties administrative and popular in the way of proceeding to direct universal suffrage immediately. We must therefore employ some other device to attain this object and we find that there is no other method of doing so except by means of indirect elections through groups of primaries and secondaries. By this method alone can the population be reflected and at the same time afforded an opportunity to the people to be educated in the art of electing representatives on democratic principles.

We, however, consider it necessary that for some time to come there should be some qualification however low in the case of the secondaries.

We are averse to granting any separate representation for special interests as we are convinced that those interests will be able to secure adequate representation through the general electorate. But if it is eventually decided to retain special representation for any class or interests we would press for adequate representation of land holders and for reserving at least ten seats in the Provincial Legislative Council in view of their importance as compared with other interests, such as University, Commerce and Industry.

We are of opinion that urban and rural representation should continue to be through separate constituencies as at present and we would include all towns with population of five thousand or above in urban constituencies.

We consider it necessary in the interests of the Federal Units that the election to the Lower house of the Federal Legislature should be by means of indirect election by the local legislature and to the Upper House by Direct election as at present.

LAHORE.

Dated 5th April, 1932.

PRESENT:

ALL MEMBERS OF THE INDIAN FRANCHISE COMMITTEE, EXCEPT SIR ZULFIQAR ALI KHAN, AND ALL MEMBERS OF THE PROVINCIAL FRANCHISE COMMITTEE.

Mian MUSHTAQ AHMED CURMANI, M.L.C.
Syed MUBARAK ALI SHAH, M.L.C.
Khan Bahadur Mian AHMED YAR KHAN DAULTANA, M.L.C.
} **Representing the Muslim members of the Legislative Council.**

1. *The Chairman:* I understand that the four points which you want to raise are these. In the first place, it is essential that the voting strength of each community should correspond to its population. This should be done either by adult franchise or, if that is not possible, by some group system. Secondly, landholders should get 10 seats if there is any special representation at all and you are in favour of keeping the existing system of urban and rural constituencies making the limit of the town 5,000 instead of 10,000. Is that correct?—(*Khan Bahadur Mian Ahmed Yar Khan Daultana*): Yes.

2. Would you give your special reasons for the first? Why is it so important that the voting strength should correspond to the population?—As long as we have got separate electorates, there would be no necessity for it. But we are always faced with the taunt that our population is reflected in the voting strength. Secondly, we are very keen to solve the communal problem. We find that as long as there is this disparity between the population and the voting strength the door for that solution is shut for ever and we find that it is very necessary from the democratic and other points of view that the population of every community should be reflected in the voting strength as far as the Councils are concerned. We are faced with a lot of difficulty in the administration of the local bodies also when we have disparity between the population and the voting strength of the different communities.

3. That affects the local bodies as well as the councils?—Yes.

4. Supposing special interests are represented, on what ground do you claim that landholders' seats should be raised from 4 to 10?—We have mentioned in our memorandum that if special interests are to be represented at all in the Council, the landholders' interest is in our opinion the most important of them all to be considered. Now, a small zamindar who pays Rs. 5 as land revenue is invariably a tenant as well. He cultivates all his land himself. In the case of a big zamindar he has to employ agricultural labour to get the land in his estate cultivated. He has got more stake in the country than that small zamindar. We are of the opinion that when population is reflected in the voting strength and when a large portion of the population is enfranchised every interest would automatically be represented; but if the Committee decides in favour of allotting a certain number of seats for a particular interest, then we submit that the interest of landholders, is in our opinion, the most important of these interests.

5. You want 10 seats in the enlarged house?—(*Syed Mubarak Ali Shah*): Apart from what my friend has said, a point to be considered is that we are not having a second chamber. I think, therefore, that the bigger zamindars must have a share and an effective voice in the lower house.

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6. What is the size of the House that you contemplate when you ask for 10 seats ?—200.

7. The present number is 4 out of 80 elected members ?—We fix the same proportion.

8. Why do you want to retain the existing system of town as opposed to country constituencies?—(*Khan Bahadur Mian Ahmed Yar Khan Daultana*) : In this country we have got only political or economic division, that is, rural and urban. The reasons why we are in favour of this are that the rural population is more heavily taxed than the urban population and 9/10ths of the provincial revenue is contributed by the rural classes. When we look at the expenditure of the province, we find that about 80 per cent. of our provincial expenditure is absorbed in the towns. They have got more facilities than the rural areas. As far as provincial revenue is concerned, we find that an urban gentleman contributes to-day in two ways, either in the form of excise duty or in the form of Court or stamp duty and that too eventually is paid by the rural people against whom there are decrees in the court. Then again we pay for our watch and ward. We have got our own watch and ward in the villages while the provincial revenue is spent for the watch and ward of the towns. (*Syed Mubarak Ali Shah*) : Moreover, the population in the towns is compact and 5,000 or 10,000 people live at one place. In the villages the population is scattered over a very big area. In the case of voting an urban member or a man standing from a town has a chance to get more votes polled at a time than the villager—a man who stands from a rural area.

9. *Sir Sunder Singh Majithia :* You have said that the door for an amicable settlement between the different communities will be closed if the electorate does not reflect the population of the different communities. Do you think that that is the only solution ?—(*Mian Mushtaq Ahmed*) : That is, I think, the biggest drawback and it always stands in the way whenever we have some committee to solve the communal problem. This thing comes in—that a particular community has a greater population but has less number of voters.

10. I do not want to touch upon the difficult question of communal settlement, but won't it depend more on the seats that the different communities will get in this province eventually than on the fact that the population is reflected in the strength of the voters ?—(*Syed Mubarak Ali Shah*) : We are in favour and approve of the principle of every community having its population reflected on the electoral roll. In that case every community will have a fair chance of having their say in the administration and electing their proper representatives.

11. Do you mean to say there would be no weightage asked for ?—As far as I know, the Prime Minister has also suggested to the Franchise Committee that every community should be brought on the electoral roll according to its population.

12. That is not my point. I want to know whether weightage would be claimed if the voting strength is according to the population ?—As far as Punjab is concerned I might say Muslims will not ask for any weightage if their population is reflected on the electoral roll.

13. You have said that you want special representation for the zamindars Please don't understand that I am not in favour of it, but I want to know whether if a second chamber is established you would like to have representation there also ?—(*Khan Bahadur Mian Ahmed Yar Khan Daultana*) : Personally I am against the establishment of a second chamber because if you have a second chamber in this province that will keep the big zamindars away from smaller zamindars and the tenants. My experience is that the relations between the big zamfndars and the

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smaller zamindars and tenants have been more friendly since 1921 than they were before.

14. In case a second chamber is established would you also like to have representation in the lower house as well as in the upper house ?—I would like to, but personally I won't like to have a second chamber.

15. *The Hon'ble Mary Pickford :* I would just like to know whether you gentlemen have any views on the enfranchisement and the representation of women ?—(*Syed Mubarak Ali Shah*) *:* We are prepared to give the same rights to women as to men. We are Muslims and our religion tells us that we must give equality to women.

16. Of course, you realise that giving equality in the sense of property qualification and so on will only produce a very small number of women voters ?—We have suggested adult franchise and election by the group system. In that case we will have all women, labour, depressed classes and so on.

17. In the event of that not being practicable, have you any alternative scheme ?—(*Khan Bahadur Mian Ahmed Yar Khan Daultana*) *:* We could not suggest any scheme here, but our idea is that we are prepared to concede the same rights to women. (*Syed Mubarak Ali Shah*) *:* I am afraid we won't be able to get desirable results unless adult franchise is adopted and the elections are held by the group system. The desired object cannot be attained otherwise.

18. Have you any views on reserving a small number of seats for women as a temporary measure in the first one or two councils ?—Well, as far as I can see from the opinion of the women who gave evidence yesterday, they themselves are against any reservation. So, I would not thrust this on them.

19. *Mr. Chintamani :* Have you considered whether adult franchise will have any substantial value when it is combined with the group system ?—I think it must.

20. How long do you think should the primary elections take place before the elections to the Council ?—Our suggestion is that the family should be the basic unit for the groups. The Punjab official report tells us that every family contains on an average 5 persons and every family in that case will be represented by a secondary and will have a say in the matter.

21. By what method will you bring about the registration of one representative of each family as a voter ?—Every family is registered in the village papers because a family has to pay some sort of tax, chowkidari tax or grazing fees. So, the Patwari has a list of the families or can make one if there is none available in some parts of the province. That would not be very difficult and the family, if they are given a choice, can select their representative by themselves and there will be no need of having a formal election for that. But if an election is considered necessary, even then I think a family could elect a man and any revenue officer touring in the village could ascertain whether that election is right or not.

22. Will you impose upon the Patwari the obligation of getting the name of the representative of every family or will you impose upon the head of the family the obligation of giving to the Patwari the name of the person who will vote on behalf of the family ?—I think, we would place the obligation on the head of the family.

23. That means only those families will come on the electoral roll as will take good care to tell the name of the representative within the time fixed ?—It should be the duty of the Patwari to prepare the list of the family and ascertain as to who would be the representative of the family.

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24. Suppose the Patwari does not include some of the names supplied to him, what will be the remedy ?—Even at present the Patwari is the man who prepares

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the electoral roll for every constituency and if he leaves out any name, I think, he could be dealt with departmentally. If it is proved that he has intentionally left out any name he could be dealt with.

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25. Do you consider that it is very unlikely, under your system, for any respectable women in the present state of society to come on the roll. You will agree that it is most unlikely that any family would care to give the name of an adult woman member as a secondary voter ?—I think, the people are realising their responsibility. There is no reason why a woman in the family who has got advanced views should not be brought on the roll as their representative.

26. Theoretically it is very sound. But in practice this would not happen ?—In practice also it will be so.

27. Do you think that the members of a family who will send one of their number as a secondary elector will really be able to influence the ultimate election of candidates to the Council ?—I should think so.

28. I will now come to your zamindari question. Will you let me know whether there is any limit with regard to the payment of minimum amount of land revenue which would qualify a zamindar to vote in the special constituency ?—A zamindar who pays Rs. 500 can stand for the landholders' constituency in the Punjab and can vote.

29. Will you let me know the number of such zamindars who are qualified to vote ? Do they form a respectable portion or a small portion ?—

The Chairman : I can give you the exact number. 776 Hindus, 1,740 Muhammadans and 941 Sikhs.

(*Syed Mubarak Ali Shah*) : Compared with other interests, our interests are equally important, if not more. The big zamindars hold an area of land much larger in proportion to that which is held by petty landholders. In view of that I think it is necessary that the interests of the big zamindars should be represented in the legislature. There is one more point I wish to bring out. You have to differentiate between a big and a small landholder. As my friend has said a small landholder cannot be independent and depend on his own property. He has to depend on some other property as a tenant or he has to cultivate his own land. He has got the tenant's mentality in him. A big landholder is really a landholder. He has the mentality of the landholder and it will take at least two generations for him to become a tenant and develop that mentality. We would like therefore that purely landowners' interests should be represented in the legislature, and they have the greatest stake in the country.

30. That is a very interesting statement. Will you kindly explain for my benefit and the benefit of those of my colleagues who have not the advantage of being landlords, what exactly you mean by the phrase 'mentality of the landlord'?—The landowners' interests in many cases are absolutely different from those of the tenants. The tenant is apt to be influenced by many persons, say the moneylender, or some other things. The big landholders, landholders who have big estates, having an independent living are not likely to be influenced by such persons.

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31. *Mr. Chintamani :* The smaller landholders may be susceptible to the influence of public opinion of their own countrymen whereas the big landholders, who have what you called the landholder mentality, will only be susceptible to the influence of Government and such other agencies ?—(*Mian Mushtaq Ahmed*) : We will have the policy of the Government in view and it will be in our interest to have a class of people who will help the Government of the day.

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32. You have stated that the interests and the point of view of the landholders are quite different from the interest and point of view of the tenants. Would you mind giving me, roughly, what the ratio of the landlords to the tenants in Punjab is ?—I cannot give you the exact figure. I have mentioned in my reply that the number of landlords is, of course, very small, but that their holdings are very large.

33. From the general electorate, a large number of landholders are being returned to the Council now ?—They are being returned to-day, but we fear that a time may come when there may be necessity for the big landholders to have special representation.

34. Therefore your proposal is based more upon the fear of what might possibly happen in the future than upon any ascertained fact ?—Everything that is being proposed now has reference only to the future. (*Khan Bahadur Mian Ahmed Yar Khan Daultana*) : In case you are going to give representation to any other vested interest, we also claim similar treatment.

35. Do I correctly understand the position when I say that all of you do not take the same view on the question of the second chamber in the Punjab ?—We do not. (*Mian Mushtaq Ahmed*) : I am not for it.

36. At present, the bigger landholders and the smaller landholders are getting on very well together, whereas, if a second chamber is established, there might be difference of opinion between them. If I understood you correctly you started with the assumption that the interests of the bigger landlords and the smaller landlords are not the same, as the former have the landlord mentality and the latter the tenant mentality and that even now there is no identity of interest. As the position will be worse in the future, you want a second chamber in addition to representation in the first chamber ?—If there is a second chamber, we will be absolutely cut off from the smaller landlords and the electorate will tell us : 'This is not the place for you. You should go to the upper chamber.' If we have no second chamber, we will have reservation of seats and a chance to work side by side with the smaller landlords and the other classes of the population.

37. Then, neither of you want a second chamber ?—We do not.

38. Suppose this proposition is placed before you, that the first chamber should be elected by constituencies formed on a purely territorial basis without any manner of class or interest distinction and that the second chamber should be elected by constituencies formed on the basis of class interests, special interests and so on, what would you think of that ?—We are against a second chamber even in that case.

39. It has been stated repeatedly since we came to the Punjab that the members of the non-agricultural tribes are heavily handicapped in elections owing to a certain piece of legislation peculiar to this province ?—Yes.

40. Have you considered any method by which this complaint can be redressed so that in the future constitution the non-agricultural tribes may have equal opportunities with the agricultural tribes ?—(*Khan Bahadur Mian Ahmed Yar Khan Daultana*) : Before the Land Alienation Act was passed, large tracts of land passed into the hands of non-agriculturists. Besides this, we have got Government colonies where anybody can go and purchase lands at auction. It is found that in all these auctions, 96 per cent. of the people who go and buy lands are agriculturists. So there seems to be no desire on the part of the non-agriculturists to buy lands at the market value. (*Mian Mushtaq Ahmed*) : Before I answer Mr. Chintamani's question I think I might be permitted to throw some light on the Land Alienation Act itself.

41. I think it is not necessary. We have heard enough of it.—I only desire to state the effect of this Act on the population. I think I would be quite in order

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in explaining my position as a landlord, because much has been stated against this Act and I think there is a misunderstanding among many people about the same.

The Chairman : You may answer Mr. Chintamani's question.

42. *Mr. Chintamani :* I am not concerned now and here with the merits of the Land Alienation Act. I only pointed out that the non-agricultural tribes at the present moment are handicapped, in comparison with the members of the agricultural tribes, in getting on the electoral roll. Have you considered any method by which the position of the two may be made equitable and equal only for this purpose of election and nothing else ?—I am against the opinion that any such legislation is handicapping the non-agriculturists in securing equal representation. The non-agriculturists are not debarred from buying lands from non-agriculturists. In the Punjab, as you are aware, large areas of Government lands have been auctioned and they are available to any community or class. If the non-agriculturists wish to get lands in order to secure votes, I think the best thing for them to do is to go and bid at the auctions. Apart from that, the non-agriculturists are not debarred from buying lands from non-agriculturists. The lands which were transferred from agriculturists to non-agriculturists before the land Alienation Act was passed, are still with them.

43. If I do not follow you in this controversy, I should not be supposed to be admitting what you say. You do not think, therefore, that it is necessary to suggest any particular method ?—We have suggested the best method and that is, adult franchise. If that is granted this question will not arise.

44. That is your last word on this subject ?—Yes. (*Khan Bahadur Mian Ahmed Yar Khan Daultana*) : The handicap is only imaginary.

45. *Sir Muhammad Yakub :* You three gentlemen are Muslim members of the Punjab Legislative Council elected by Muslim constituencies ?—Yes.

(*Main Mushtaq Ahmed*) : I am a nominated member.

46. You think that democracy in India cannot work unless each community is satisfied that its rights and privileges will be safeguarded, that it will have equal opportunities for expansion and a proper share in the administration of the country ? —Yes.

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47. As regards the federal chamber, if it is constituted, you think that there again the proportion of the Muslim population should be reflected on the electoral roll ?—It should be reflected on the electoral rolls of all local bodies and legislatures.

48. Is it not a fact that the Muslims in Punjab are indebted to the extent of 50 crores of rupees ?—(*Syed Mubarak Ali Shah*) : More than that. (*Mian Mushtaq Ahmed*) : Speaking subject to correction, I say, they are indebted to the extent of Rs. 135 crores ; and that they pay Rs. 18 crores as interest every year. The amount of land revenue that they pay to the Government comes to 4 crores of rupees.

49. Had it not been for the Land Alienation Act, the small Muslim landholder would have vanished from Punjab long ago ?—If you will allow me, I will read a quotation from the writings of a distinguished Lieutenant Governor of the Punjab which will explain the situation. He says :—

> 'It was not till 1900, when the process of expropriation had gone to dangerous lengths and fears of reprisals by the peasantry made the situation grave beyond dispute that the Punjab Land Alienation Act was passed. As a result of this Act, the Punjab land owners—the finest body of the peasantry in the east, who, but for it would now have been largely a

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landless and discontented proletariat—agreed for any change that might help them to get back their own lands.'

It was due to this salutary legislation that the peasantry in the Punjab, instead of insisting on a change for the worse, supplied 360,000 men in the 4 years of the Great War to help the Government during the War and to maintain peace and order.

50. So, there is no bar to the non-agriculturist in the Punjab obtaining lands ?—I think Government lands in the colonies are still open for purchase.

51. As regards women, Muslims are not against their enfranchisement on the same qualifications as men ?—No.

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52. Muslim representatives like Begam Shah Nawaz and Lady Abdul Qadir command great respect among the Muslim community and there is no reason why they should not be elected if they stand for election ?—They will be elected.

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53. *Mr. Butler :* Supposing, in course of time, you find that the territorial constituencies are very large for a single chamber, would you then have a second chamber for representing the interests ?—If things materially change, we might consider the question later. At present we do not see any necessity for it.

54. Having that possibility in view, you agree that it is worthwhile considering the existence of the second chamber from the inception of the Reforms ?—Yes, it is worthwhile considering.

55. What qualifications would you have for the secondaries in groups ?—In the groups any man who pays any kind of tax, provincial or local, may have the right to be a secondary. I think every family will be able to find at least one man who pays some sort of tax, chowkidari tax, grazing fees and so on.

56. Will the status of the secondary elector not be any different from the ordinary direct voter ?—In the direct vote, the number of electors will be so large as to make the system administratively impracticable.

57. You get a very small body selected under your system with the qualifications remaining as they are at present ?—Yes.

58. The quality of the secondaries will also be the same ?—Yes.

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59. *Diwan Bahadur Ramaswami Mudaliyar :* I understand that you are against second chamber in this province ?—Yes.

60. Don't you realise that in the special conditions in the Punjab, wherever else it may be necessary or not, a second chamber is absolutely essential ?—No.

61. Don't you consider that there is a grave risk, in this province in particular, of a single house, dominated by constituencies from geographical or territorial areas and based probably on communal electorates, carrying on legislation which might affect seriously one community or another, and so, would it not be most desirable to have a second chamber which will give time for the lower house to reconsider its decisions ?—With our past experience, we do not think that any such situation will ever arise.

62. May I suggest that past experience is of absolutely no value seeing that there was the official *bloc* which was able to hold the balance as between community and community ?—But no such legislation was ever brought before the House.

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63. Has there been grave dissatisfaction to one community or another, about some legislation or other passed by your Council during the last 11 or 12 years ?—I cannot recall any instance.

64. Under the new Constitution, when provincial autonomy is introduced, the conditions under which legislation will be brought forward by responsible Ministers would be different from the present condition; under which, I take it, Ministers and Members of Council sit together under the Presidentship of the Governor and discuss particularly Bills that may be introduced in the legislature whether on the transferred or on the reserved side ?—Yes.

65. To that extent, therefore, before legislation is introduced in the legislature, there is a chance of the interplay of all those forces which make for fairness between community and community and between man and man at present, whereas the danger may be that, in the future legislature, a popular Ministry, with the strong support of a majority, may only think of that majority support, and introduce legislation which might be extremely harmful to the minority ?—(*Mian Mushtaq Ahmed*) : I think no Ministry in the Punjab can occupy office only on a communal basis. It is impossible. We can never have such dangers in the province. Further, the proportion of any community in the Punjab is not so large as to give it an overwhelming majority. This danger, therefore, does not arise at all.

66. So far as I have been able to judge of the evidence given in various provinces, it struck me that this is the first set of witnesses from zamindars who have come before us stating that they do not want a second chamber. Could you let me know whether there is any special reason why, not as Mussalmans, but as zamindars you should be against the second chamber in this province ?—I think there is nothing to convince us that there is a necessity for a second chamber. That is why we are saying that we do not want a second chamber. (*Khan Bahadur Mian Ahmed Yar Khan Daulatana*): And we believe that a big zamindar should always come in contact with the small zamindars and that it is only through the lower chamber this is possible. If you have an upper chamber, then there will be very little possiblity of our mixing with the smaller zamindars. I think it is in the interests of the big zamindars to mix with the smaller zamindars and their tenants.

67. Whom would you call a smaller zamindar ?—A landholder paying Rs. 500 as tax.

68. Having regard to your extreme anxiety to mix with the smaller zamindars and to have harmonious relations with zamindars paying Rs. 500 rent, would you have any objection to the present zamindari constituency being so enlarged as to include all zamindars paying Rs. 50 and over instead of the present of Rs. 500 ?—We have just explained our position in that respect, and the difference between big and small zamindars. But at the same time if the franchise is lowered to a certain extent, I think we will have no objection.

69. Would you have any objection to Rs. 100 being fixed as the limit ?—A landlord who pays even Rs. 100 is not self-supporting. This is my opinion.

70. How far do you go then ?—(*Mian Mushtaq Ahmed*) : Rs. 250. That is my personal opinion.

71. *Sir Ernest Bennett* : In giving a description of your scheme, with its attractive simplicity, you spoke of the patwari going to each household which pays a tax ?—For the secondary I said that it should be laid down as a qualification that he should pay some sort of tax.

72. In the villages many people pay no tax at all. They are exempted from the chaukidari tax ?—There is the grazing fee, what is called tiruni, the fee which is charged by the land owners or Government on waste land for the grazing of

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cattle. I think everybody has got cattle. In many parts it is so. As far as the Multan division is concerened it is so.

73. If you work on the tax basis, you would exclude the poor people who are exempt from those taxes ?—If we could not enfranchise many people on that basis, I personally would leave it.

The Chairman : Members of the Provincial Committee have had lots of opportunities for discussing these matters with these gentlemen before. We are having important official witnesses coming now. Please ask your questions; I hope they will be relevant.

74. *Khan Bahadur Shaik Din Muhammad :* Do you think that if you impose any sort of qualification on a secondary you would exclude women from being secondaries because they do not pay the chaukidari or any other tax ?—As I have already explained, if we could not enfranchise many people, by doing so, we would have no qualification for secondaries.

75. You will have no qualification for secondaries. In connection with the enactment of the Land Alienation Act, you know that permanent alienation even with the sanction of the Deputy Commissioner is not permissible, and temporary alienations in the shape of mortgages are permissible in the case of agriculturists and non-agriculturists ?—Even if the land is not allowed to be alienated, a money-lender, if he wants to get a portion of land from the zamindar, can do so by lending Rs. 10, though the value is Rs. 1,000. In that view it should be restricted.

76. You want the population to be reflected in the voting strength because you are of opinion that the Sikh demand is mainly based on the voting strength ?—Yes.

77. Even if communal electorates are retained, it is necessary for the population to be reflected in the voting strength ?—Yes.

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Memorandum submitted by PANDIT NANAK CHAND, M.A., M.L.C., Bar.-at-Law, Advocate, High Court, Lahore.

No recommendations regarding the extension of Franchise in the Punjab could be regarded as sound or fair which ignore certain important features peculiar to the Punjab. These are intimately and vitally connected with the Franchise problem. Unless these features are understood in all their bearings, recommendation regarding the Franchise will work great injustice. An attempt has been made in the memorandum to explain the points peculiar to the Punjab.

I. The first important point to note is the almost feudal character of the Punjab village. The constitution of the Punjab village must therefore be thoroughly grasped. The village is sharply divided into the proprietary body and the non-proprietary body. The proprietary body is generally a brotherhood. Where blood ties have broken down the tie of the ownership of land still endures. The proprietary body is the owner not only of the agricultural land, but of the village habitation site, tanks, wells, graveyards, ponds, pastures for cattle and uncultivated waste. The non-proprietors on the other hand are occupancy tenants, tenants at will, kamins (menials) servants of the village, washermen, carpenters, blacksmiths, shop-keepers, artisans and others. These non-proprietors include men of all castes high and low. They have more or less restricted rights of user of pastures, tanks, etc., etc. The non-proprietors in most villages pay certain dues to the proprietary body which show that the proprietors are the feudal-lords. The site on which the dwellings of the non-proprietors stand is the property of the proprietary body, and

the residents are permitted to remove or sell the materials only. The effect of all these restrictions is to hold down in serfdom the non-proprietary body. The disputes regarding use of wells, of playing music in the village at the time of marriages, are disputes not between high caste Hindus and the untouchables but between the proprietors of the village and the non-proprietary body.

II. The second important feature to be noted is the arbitrary division of the Punjab population into two classes, the agricultural castes or tribes on the one side and the non-agricultural castes or tribes on the other. This division is not based upon a person's profession, or occupation but upon his birth in a particular caste. A person may change his religion but not his caste. The non-agricultural tribes are not permitted to purchase agricultural land from the agricultural tribes. Whatever may be said in defence of the Punjab Land Alienation Act under which this distinction has been created as an economic measure, it is certain that it becomes a source of political grievance when the Franchise is to be determined by a person's property qualification. The Act has created privileged castes which seek to rule the Punjab to their own exclusive advantage and hence the activity of the members of the privileged agricultural castes to bar the door on all others on one ground or another, to improve their status. But it needs no arguments to show that the Electoral Roll of a Democratic country, should represent all classes and interests. The agriculturists and the non-agriculturists in the Punjab are half and half. But amongst the Hindus the agriculturists are 25 per cent., while non-agriculturists are 75 per cent. The Electoral Roll of the various communities must reflect these two classes on their population basis. At least there should not be any glaring disparity. Otherwise it will not represent the picture truly and justly.

III. The Communal problem in the Punjab though not exclusively provincial is certainly a marked feature of our public life. The tension here has been very bitter and is responsible for indirect and under-hand methods of increasing the population strength of the contending communities.

IV. The depressed class problem here presents no difficulty. It should not be magnified beyond its legitimate sphere. Untouchability to some extent exists amongst sweepers who are actually engaged in unclean and possess unclean habits. Occupation not caste is responsible for their social backwardness. But backward or economically depressed classes are the classes we mainly think of when we talk of the Depressed classes. Religious reformation was initiated by the Christian missionaries and Hindu reforming bodies long before people dreamt of democratic rule in India. The stride of reform during the past years has been tremendous. Any attempt to separate any of these classes or part of these classes will perpetuate their degradation and humiliation. The views of the Simon Commission on this point require very serious consideration at the hands of those who are interested in this problem. Keeping these main considerations in view I make the following recommendations :—

RECOMMENDATIONS.

The right of vote must be extended :—(1) to all owners of agricultural lands paying Rs. 15 or more as land revenue, (2) to all Lambardars and Zaildars, (3) to all persons who pay an Income-tax or *Haisiyat* tax or professional tax, (4) to all owners of immoveable property upto the value of Rs. 1,000, in the case of rural areas, but in the case of cities above the population of 50,000 to owners of immoveable property of the value of Rs. 3,000 or more, (5) to all persons who draw a salary of Rs. 15 or more, (6) to all persons who have passed matriculation examination or its equivalent, (7) to all persons who receive pension from the Government whether from Civil or Military Department, (8) to all the employees of District Boards, Municipal Committees and Government Servants, (9) to all persons who pay house rent of Rs. 72 annually, (10) to all occupancy tenants or crown tenants of lands assessed to annual land revenue of Rs. 15, (11) to all wage earners and agri-

cultural labourers who are willing to pay a hearth-tax of Rs. 2 per annum in order to earn the right of vote.

By accepting the proposals named above it will be possible to have all classes of people in suffi cient numbers.

WOMEN SUFFRAGE.

I am in favour of allotting 5 per cent. at least of the seats of the Council to them through special non-Communal Constituencies. It should be open to them to contest other seats with men in the general constituencies if they so desire. All women who are literates must get the right to vote.

REPRESENTATION OF THE DEPRESSED CLASSES.

The depressed classes will come in sufficiently large numbers on the Electoral Roll by the recommendations made above.

REPRESENTATION OF LABOUR.

After reconsidering my views in regard to the representation of special interests such as Labour, Commerce, Industry, and University, I am of opinion that they must find representation on the Council provided their non-Communal character is retained.

THE NATURE OF THE CONSTITUENCY.

I believe in having territorial constituencies, and in ruling out the arbitrary division of urban and rural. There are no industrial towns excepting Lahore and Amritsar which may be classed as urban.

COMPOSITION OF THE PUNJAB COUNCIL.

The Punjab Council should consist of 250 members as recommended by the Statutory Commission. I believe that the enlargement of the Council will help to bring in really more capable men, who understand the value of Democratic institutions and their working. There should be a literary qualification for a candidate seeking election to the Council which should not be less than matriculation or its equivalent.

LEGISLATIVE ASSEMBLY.

The election to t he Legislative Assembly and the Council of State must be direct as at present a nd not indirect.

In the end I submit that I am not opposed to a combination of direct voting system with an indirect voting system through group, provided:—(1) Amongst the direct voters persons paying *Haisiyat* tax and matriculates are included and all other qualifications which exist at present are retained, (2) provided further the indirect system is declared to be administratively sound. I would here make another suggestion. In case this indirect system is adopted for the remaining population, the groups may be joint and common and secondaries may form joint or common constituencies for the returning of members to the Council and the direct voters forming separate electorates returning members of different communities through such separate electorates. The suggestion deserves consideration. Suggestion of a similar nature was made by Their Excellencies Sir Malcolm Hailey and Sir Geoffrey De Montmorency in their official memoranda submitted to the Simon Commission.

Pandit NANAK CHAND, Member, Punjab Provincial Franchise Committee.

1. *The Chairman :* You heard the estimate by the Government officials that the number of voters who would come on the roll as the result of adopting the *Haisiyat* tax as a basis of franchise would be about 250,000 ?—I regard that as too optimistic because there are complaints that many people are being taxed who are not taxable. I put the figure as 174,000.

2. Supposing that proposal is adopted, how far would it go to meet the proposals in your memorandum ?—On the figures supplied by Mr. Jenkins of the Amritsar district it would come to about 12 per cent. of the figure I have stated.

3. That reduces you to 150,000 ?—Yes.

4. Taking that figure, how far would it go in your opinion to meet the main point you have made here about the non-representation of the non-agriculturists ?—Neither the Committee nor the Government have taken into consideration the lowering of the house property in the villages. Your Lordship will note that at the present time persons who own Rs. 4,000 house property have a vote ; that has not been lowered according to the recommendations of the Government or the Committee. I would place that figure at Rs. 1,000 in the case of the rural population and Rs. 3,000 in the case of urban towns above a population of 50,000 because according to my estimate towns below 50,000 are rural and not in any way different from small towns or big villages.

5. What percentage of the population would be enfranchised if your No. 11 proposal is adopted ?—No, not the last proposal ; but under 5, 6, 7 and 8 I consider that about one lakh of people will be enfranchised under each of the separate heads.

6. *Sir John Kerr :* It has been suggested that what you want in the shape of the *Haisiyat* tax is really a professional tax on all artisans ?—A man may be an agriculturist paying Rs. 10 land revenue but he has a subsidiary source of income which should be taxed ; therefore I say it will come to 12 per cent.

7. How would you assess this professional tax ?—The figures are all supplied in the statement.

8. Can you explain the difference between *Haisiyat* tax and professional tax ?—The *Haisiyat* tax takes into account whether a man is in possession of a house, etc.; there is not much difference between the two.

9. Would the professional tax bring in the artisan ?—Yes, on the basis of income.

10. How is his income to be ascertained ?—By sending an assessment officer to find out. The District Board employ these officers.

11. Is this the same as the proposal made to us by the Ramgarhia Association, that it should be assessed by the patwari ?—Not by the patwari but by an officer appointed by the District Board.

12. You propose the professional tax also ?—The *Haisiyat* tax and the professional tax are both included in this statement. There are some districts in which the tax is levied as the professional tax and the other districts call it *Haisiyat* tax. There is not much difference and both are included in the statement which has been supplied.

13. That brings in 155,000. In order to remove what you feel is an injustice to the non-agricultural tribes you will also bring in all wage earners and agricultural labourers who are willing to pay a hearth-tax of Rs. 2 per annum. You are making it optional. What was in your mind when you made that proposal ?—

What was in my mind was thus. These tenants really vote for the landholders. Supposing this is not a fact I won't insist upon wage earners and agricultural labourers.

14. But this introduces entirely an uncertain element. You don't know how many would be willing.

15. *Mr. Chintamani:* May I take it that the double object of these specific recommendations which you have made is firstly to extend the franchise to a larger proportion of the population and secondly to redress the balance between the agricultural and non-agricultural tribes?—Yes.

16. In this statement you have tried to give an approximate figure of the number of additional voters that would come on the electoral roll. Will it be possible for you to estimate a rough or approximate increase of the number of agricultural voters that would accrue from your proposals?—Yes.

17. You think it is possible. Under (11) of your proposals you say, " the right of vote shall be extended to all wage earners and agricultural labourers who are willing to pay a hearth-tax of Rs. 2 per annum." Agricultural labourers living in rural areas, will they not be affected by this *Haisiyat* tax which has been proposed in No. (3)?—Not the agricultural labourers.

18. Whom were you thinking of then when you made provision for this hearth-tax?—I was thinking of those classes who would not come under any of the property qualifications. I was of the opinion that so far as the tenants are concerned, on the recommendations that have been made, they would really vote for the landlords and those classes who have got property in their hand. So, I thought if the hearth-tax was levied on all classes of people who earned a certain wage, the payers of that tax may be given the right of vote.

19. But you make it voluntary?—Not voluntary. It should be made a provincial subject.

20. You say here " to all wage earners and agricultural labourers who are willing to pay a hearth-tax of Rs. 2 per annum in order to earn the right of vote "?—That rather gives a wrong impression. Undoubtedly, what I meant to say was this—that supposing the hearth tax was levied on all persons who earned a certain amount of income and that was made a qualification, this will bring in all classes.

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21. *Khan Bahadur Aziz-ul-Huque:* I want to know if there is any system of hearth tax prevalent in the Punjab?—No.

22. It is a novel suggestion?—It is.

23. *Diwan Bahadur Ramaswami Mudaliyar:* This *Haisiyat* tax is imposed by the District Boards?—Yes, in rural areas.

24. And by municipal bodies in urban areas?—No.

25. It has been suggested that the district boards may vary the amount of the tax from time to time or they may even cease to levy the tax?—Quite so.

26. Therefore it would form a variable factor in the franchise qualifications?—Quite so.

27. Would you therefore suggest that the tax should be provincialised?—That is what I suggest. It should be provincialised and the income if necessary be made over to the district board.

* * * * * *

28. *Mr. Tambe:* Supposing the limit of the *Haisiyat* tax is reduced to Rs. 200 would that make any difference?—That would make a difference. I would like

to mention that the total number of agricultural tribes is 10,050,543. This excludes B Class agriculturists who are just in the position of non-agriculturists. They cannot purchase property from any other tribe except their own tribe. This figure is according to the census of 1921. The number of Hindu agricultural tribes is 1,697,187, Muslims 6,832,183 and Sikhs 1,521,173. Hindu agricultural tribes according to these figures are 24·4 of the total population of Hindus including Jains, Buddhists, etc., Muhammadans 60 per cent. and Sikhs 66·3 per cent.

29. *Khan Bahadur Aziz-ul-Huque :* Where do you take those figures from ?—From Raja Narendra Nath's memorandum submitted to Sir John Simon. A question was asked in the Council about these figures and Sir Fuzl-i-Hussain referred the member to the census report. These figures have been quoted in the Council and have never been challenged.

30. *Rai Bahadur Chaudhuri Chotu Ram :* You think that the agricultural tribes are so dominant in the rural areas that members of non-agricultural tribes cannot get proper representation in the Council ?—That is what I say. In proportion to their population, they cannot.

31. And according to you the village proprietary body consists, generally speaking, of agricultural tribes ?—Yes.

32. Will you kindly tell us whether yourself, Lala Bhagat Ram, Lala Gopal Das, Lala Sewak Ram, Mr. Labh Singh and Raja Narendra Nath belong to the non-agricultural tribes ?—We do.

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33. All the names that have been enumerated by me have been returned from rural constituencies ?—Yes, except Raja Narendra Nath who has not been returned by a rural constituency.

34. That is not a rural constituency ? Can you suggest a single urban constituency which has ever returned a rural man ?—Amongst the Muhammadans many times. I don't think that has been the case amongst the Hindus and Sikhs.

35. I think you will agree that in the present Council there are at least 2 non-agricultural Sikhs who have been returned by rural constituencies ?—I think there is only 1.

36. Bhai Jaswant Singh and Mohan Singh ?—Then there are two. The distinction that has been made as the basis for the Land Alienation Act is one of birth.

37. Will you agree with me that the Act does not deal with individuals but deals with classes. Certain classes have been defined as falling with the category of agriculturists.?—It does not define agriculturists. Power has been given to the Government to classify certain tribes as agriculturists.

38. Do you agree with me that 99 per cent. of the Jats follow the profession of agriculture ?—Under the Land Alienation Act birth is the test and not occupation.

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39. The income-tax limit has been lowered to Rs. 1,000. Will that enlarge the number of voters of non-agricultural class ?—Mr. Jagannath yesterday said that 3 lakhs of new people come in throughout the whole of India under this lowered qualification.

40. Lowering of immoveable property qualification from Rs. 4,000 to Rs. 1,000 is again a qualification which will go a very long way to enfranchise members of non-agricultural tribes particularly from amongst the moneylending class ?—It will enfranchise certainly a larger number from amongst the non-agricultural tribes. It will also enfranchise a good number from the agricultural tribes.

Bihar and Orissa.

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BIHAR AND ORISSA.

Note by the Government of Bihar and Orissa on arrangements for Direct and Indirect elections of 10 per cent. of the population.

DIRECT ELECTION

1. PREPARATION OF ELECTORAL ROLL (RENT OR CESS QUALIFICATION).

(*a*) The first step necessary for a direct election is the preparation of the electoral roll. The present procedure adopted in rural areas for the revision of the electoral rolls originally prepared in 1920 is to issue the roll prepared at the previous election, to all Chaukidari Sarpanches (collectors of Chaukidari Tax) in Bihar and Chaukidari Tahsildars (paid collectors of Chaukidari Tax) in Chota Nagpur, directing them to prepare lists of all names to be added to or removed from the list. The work of these local agents is supervised by the District Officer and his subordinates and also by a special staff consisting of one gazetted officer and six supervisors in each of the five Divisions, whose duty is to tour in the rural areas, explain to the local agents the method of revision and to test their work. In urban areas the work is simple as use can be made of the municipal electoral roll and municipal servants employed to revise it.

The roll is then draft published and claims and objections are invited; but even in 1930, the total number of claims and objections was only 1,767, and 671 respectively; in 1926 there were only 1,074 claims and 15 objections and in 1923, 1,460 claims and 8 objections.

After draft publication the rolls are printed in the vernacular at local presses for the purpose of the election and for the use of the general public.

The total cost involved in the preparation of the rolls, which in 1929-30 included the names of 428,324 voters, amounted in that year to Rs. 91,279. In the previous election of 1926, the cost was Rs. 1,14,180. This excludes the pay of the gazetted officers employed on the work; the local agents who do the preliminary work of revision receive no remuneration. The cost of printing is the largest item and in 1929, the cost of printing the rolls for the Assembly and Council was Rs. 27,334 for rather more than 500,000 voters.

(*b*) The present franchise in rural area is based on payment of land revenue, rent and cess. If this qualification is still retained the initial work of preparing an electoral roll will be very laborious and difficult. It must be explained that in Bihar and Orissa, there is no subordinate revenue staff of *patwaris* and *tahsildars* in the villages, such as is found in temporarily-settled provinces with a *raiyatwari* system. The record-of-rights which has been prepared for all districts of the province is a complete record showing each landlord, tenure-holder and tenant and the amount of revenue, cess and rent payable by them, but the record is not kept up-to-date. In some districts it has been revised since it was originally prepared 20 years ago or so, but in many districts the record has never been revised since it was prepared more than 25 years ago. Thus the revised record, and still less the original record, is of very little use in showing who are the actual landlords and tenants at the present day and the amount of rent and cess payable by them. This fact makes it very difficult without making very detailed enquiries to calculate what rent or cess franchise would be necessary to produce a given number of voters. Estimates were framed after some enquiries and with considerable care in 1930, but these proved very inaccurate. For instance it was estimated that the number of rural electors in the Muhammadan and non-Muhammadan constituencies in Patna district would be 8,000 and 38,000 respectively; actually in 1926, they

were 2,000 and 24,000; in Muzaffarpur the estimate was even more incorrect, for it was estimated that there would be 5,000 and 33,000 while actually there were 1,000 and 13,500.

(*c*) Again, the absence of an accurate record will make the initial preparation of the new electoral roll difficult. For the first preparation as well as the revision of the rolls, unpaid local agents are employed; they are well acquainted with the conditions and can ascertain by enquiry in the village what revenue, rent or cess is paid by each person. As long as rent or cess is the qualification, no other system appears possible; some zamindars and especially the owners of the larger estates may have up-to-date records to show the rent and cess payable to them, but it would be a laborious task to extract from these records the information needed for the preparation of an electoral roll. The information so obtained could not be guaranteed as accurate and if a preliminary roll was prepared in this way it would have to be supplemented by enquiries in the villages. With a roll ten times the size of the present roll the work devolving on the unpaid local agents would be heavy and it might be necessary to give them some remuneration. A stronger supervising staff than that at present employed would also be needed to check and test their work.

(*d*) There is, I think, no doubt that if the initial roll is to be moderately accurate, it must be prepared by Government agency and that it would be wholly impossible to adopt a system whereby the voters themselves or their representatives can appear before some authority, corresponding to a revising barrister at home, and put forward their claims. The absence of any well-organised party system makes this procedure out of the question at least at the first election; only a small percentage of the voters would get recorded. At a subsequent election, by which time possibly the party system might be more developed, I see no reason why some system of this kind should not be instituted, whereby voters had themselves to come forward and make their claims.

Chaukidari Tax as Qualification.

(*e*) The simplest form of property qualification that can be devised for rural areas is payment of Chaukidari tax. This tax is in force in all parts of the province, except parts of the Santal Parganas and Singhbhum, the districts of Sambalpur and Angul. It is assessed on the owners and occupiers of houses in a village according to their property and circumstances, in Bihar and Orissa by selected villagers forming a panchayat, in Chota Nagpur by paid tahsildars working under the District Officers. The minimum amount of the tax is half-anna a month and the maximum Re. 1 per month. Rolls prepared by the assessing authority are kept both in the village and also in the office of the Sub-divisional Officer. It would thus be comparatively simple to compile from these an electoral roll, whether the property qualification is fixed at the minimum amount of the tax or at any higher figure. All persons holding land in a village, shop-keepers, merchants, etc., are or should be assessed and also probably a good many of the more flourishing labourers or at least those who support themselves partly by labour and partly by a small holding. The assessment is well-known in the village and hence no elaborate village enquiries would have to be made. The preparation of the electoral roll would thus only involve making a copy of the assessment roll or of extracts therefrom and much of the present expenditure on supervising staff would be avoided. Enquiries would only have to be made if wives and widows of voters are included. The roll thus prepared could be draft published in the village and claims and objections could be filed and decided. The preliminary preparation of the electoral roll would thus be neither laborious nor expensive but the main item of expenditure would be the cost of printing the roll, which having regard to the cost of printing the present roll might amount to over Rs. 2,00,000; it would, however, hardly be possible to conduct a direct election without a printed roll for the use of polling officers and candidates.

Note by the Government of Bihar and Orissa. [*Continued.*

If the property qualification is based on payment of Chaukidari tax of any amount, the result will be as shown in Statement A* to enfranchise 2,741,012 out of a rural population of 33,244,292. This is not far short of 10 per cent. of the total population, but it is recognised that 10 per cent. is only an arbitrary figure and that the main object is to secure representation of all interests.

2. POLLING.

(*a*) The most important question to be considered is in regard to the arrangements for actual polling. Careful enquiries were made in 1927, from all District Officers to ascertain how many votes could be recorded at an ordinary polling station and with a staff consisting of a presiding officer and three or four polling officers. The estimates varied considerably for the speed at which votes can be recorded depends partly on the efficiency of the polling staff, partly on the intelligence of the electors and partly on the work of the candidates' election agents. The reports received justified the adoption of a figure of 800; there was considerable support for as much as 1,000, while even this figure could be exceeded if a regular flow of voters during the polling hours could be secured; at present, however, the almost universal practice is for voters to crowd the polling-station during the afternoon.

(*b*) It may be noted that the present polling arrangements are complicated by the fact that polling for the Assembly and the Council is conducted simultaneously, a percentage of the voters recording their votes for both bodies. It may be assumed that for a Council election alone a polling-station with the staff indicated could record 1,000 votes in a day. The need for employing clerks with some experience of the work was emphasized in the report on the election of 1923, from which the following is an extract: "The importance of actual rehearsal by polling officers cannot be too strongly emphasized. In the larger stations the polling had to proceed in the busy part of the day at the rate of three votes a minute; unless both the presiding officer and the polling officers come to their work not only with a theoretical experience of the regulations but also with practical experience of the procedure obtained by actual rehearsal, the rate could not be obtained and the result would be serious congestion in the polling-station." I quote this observation because it appears to be thought by some that no difficulty will be experienced over obtaining the staff for a polling-station and that polling clerks can be recruited without difficulty from the ranks of unemployed students. Most Government clerks have now obtained experience of election and can carry out the work satisfactorily, but if raw untrained hands were to be employed, polling at many stations would not work smoothly and there would tend to be great confusion and congestion.

(*c*) At a polling-station the duties of the presiding officer are important; he has to maintain order, to see that the subordinate staff do their work correctly and expeditiously and to decide disputes regarding personation, etc., which in a hotly-contested election may be numerous. On his power of organisation and control depends the smooth working of the polling arrangements. He is always a gazetted officer and the most suitable officers are Deputy Magistrates who usually have these qualifications; officers of other miscellaneous departments do not prove so suitable. It has been suggested that the duties of a presiding officer might be done by retired Government officers or by non-officials, but the former might often be too old for the very strenuous work of presiding at a poll and the latter would probably have inadequate executive experience; it would be the exception, not the rule, to find suitable presiding-officers from these classes.

(*d*) To ascertain the difficulties that will be experienced in polling 10 per cent. of the population, it is desirable to take the case of a typical district. Muzaffarpur has a rural non-Muhammadan population of about 2,400,000; thus

* Not printed.

if 10 per cent. were enfranchised, there would be 240,000 voters and it may be assumed that 75 or 80 per cent. of the voters might come forward to record their votes; in any case it would be necessary to make provision for 200,000 voters. On the estimate already given 1,000 votes could be recorded in a day by a staff of one presiding officer and four polling clerks. There would thus have to be 200 polling-stations, 200 presiding officers and 800 clerks.

(*e*) Under the present arrangement practically the whole executive staff, both gazetted and ministerial, have to be placed at the disposal of the District Officer for the purpose of holding an election; all courts, civil, criminal and revenue, have to be closed and the only officers not employed on the work of holding an election are medical officers, jail officers and officers of the police; on the latter depends the very important duty of maintaining order at the various polling-stations.

(*f*) The first question is whether it would be possible to provide 200 presiding officers. I have already described the duties of this post and have put forward the view that officers with some power of organisation and control are needed. In Muzaffarpur district the total staff of gazetted officers is only 70 and it would thus be extremely difficult, not to say impossible, to obtain 200 presiding officers; some of the gazetted officers would not be suitable for the work; some would be prevented by illness or leave from taking part in it and even if some of the senior non-gazetted and even ministerial officers might be competent, it is doubtful whether more than 80 or 100 suitable officers could be obtained in this district. It would hardly be possible to make use of Honorary Magistrates, Municipal Commissioners or members of district boards for even if they were otherwise suitable for the work, they would in many cases be taking part in the election.

(*g*) Again the total number of ministerial and non-gazetted officers in Muzaffarpur is only 549; even if we make the assumption that all would be available and suitable, we are still nearly 300 short of the total number of clerks required.

(*h*) Further if there are 200 separate polling-stations, it would be difficult to find suitable buildings for them; the present polling is conducted at police-stations. When District Officers were consulted in 1927 there was a consensus of opinion that it was undesirable to have polling-stations elsewhere than at police-stations as the services of the police are considered indispensable for maintaining order; assisting in the polling arrangements and safeguarding the custody of the polling boxes pending their return to the returning officer at district headquarters. This important point of the maintenance of order at polling-stations must be emphasized; elections in future with a very large crowd of voters may be less peaceful than in the past and the maintenance of order at a very large number of polling-stations will put upon the police a duty which they will be inadequate to carry out.

(*i*) It may, however, be suggested that it would be possible to have larger polling-stations and that at each polling-station there should be more than one polling booth in the same enclosure and under the same presiding officer. If there were two polling booths, with good organisation, 2,000 votes might be recorded in a day and there might be only one presiding officer. It would not however, be possible to reduce the number of clerks and it would still be necessary to have four clerks to record 1,000 votes; thus though there need be under this system only 100 presiding officers in 100 polling-stations there would still have to be 800 clerks. The maintenance of order at even 100 polling-stations, even if suitable buildings can be found, would throw an almost impossible strain on the police for in Muzaffarpur district there are only 23 police-stations. It might be possible to collect 100 presiding officers but even this would not be easy. When District Officers were consulted on the question whether duplication of the staff with one enclosure was practicable, the idea did not meet generally with support and it was pointed out

even then that the present demands upon the gazetted and ministerial staff of a district were as much as they could meet.

(*j*) A further suggestion that may be made is that the election should be spread over two or three days thereby necessitating fewer polling officers and polling-stations. If this were done arrangements would have to be made for voters from a certain area recording their votes on a particular day, otherwise there might be undue congestion of voters probably on the last day. A protracted election, if party feeling was high, might largely increase the possibility of serious rioting and breaches of the peace. Further this would involve for the period of the election a wholesale cessation of all other Government work; all courts and offices would have to remain closed. It might be possible to provide the necessary staff for an election if spread over two or three days but the other objections to such a procedure are strong.

(*k*) I have in this note assumed that only males will be voters; if as suggested by the Statutory Commission the wives and widows of voters are also enfranchised, the work at each polling-station would be more than duplicated. Women voters if they come forward to vote would need very careful shepherding, and even though it may be possible to record the votes of two or three male voters in a minute, a much longer time would be required to record the votes of uneducated female voters; an opinion which will probably be supported by anyone who has experience of the examination of female witnesses. If in addition to this special arrangements have to be made to record the votes of purdahnashin women, polling becomes impossible; a staff of female polling officers cannot be provided and it would be wholly impossible to take any steps to prevent personation.

INDIRECT ELECTION.

1. Primary Groups.

If the system of indirect election is adopted, the first point to be considered is the size of each primary group. The most convenient group will be the chaukidari village; in all areas in which the Chaukidari Act is in force, that is all rural areas of the province except parts of the Santal Parganas, Singbhum and the districts of Sambalpur and Angul, the district is divided into chaukidari villages for each of which one chaukidar or village watchman is appointed. The Chaukidari Act (section 4) empowers the District Magistrate to declare by an order in writing any local area or group of dwellings to be a village for the purposes of this Act; it is further laid down that without the sanction of the Commissioner there shall not be more than one chaukidar for every sixty houses. The village under a chaukidar is a well-recognised unit; they are all nearly equal in size and population as will be seen from the Statement C annexed*. One district, Champaran, has a population of 847 per chaukidar, three districts have a population between 600 and 700 (Cuttack 657, Puri 613, Darbhanga 648), 9 districts between 500 and 600 (Saran 573, Muzaffarpur 549, Monghyr 517, Bhagalpur 515, Balasore 554, Hazaribagh 539, Ranchi 522, Palamau 583 and Manbhum 560), 3 between 400 and 500 (Patna 447, Gaya 488 Shahabad 409) and one under 400 (Purnea 396). The number of houses for each chaukidar similarly varies from 189 in Champaran to 79 in Purnea. The average population of a chaukidari village is thus about 500 of whom roughly 50 per cent. would be adults and entitled to vote, if adult suffrage is adopted. If the minimum chaukidari tax is taken as the franchise qualification, the number of voters would be roughly equal to the number of houses in each village. The chaukidari village or circle is thus a suitable group. To form fresh groups would be a very difficult task which could only be carried out by Government and its executive officers. Those areas where the Chaukidari Act is not in force are mostly aboriginal areas where the system of village headman

* Not printed.

Note by the Government of Bihar and Orissa. [*Continued.*

prevails; the area under a headman, by whatever title he may be known, would form a suitable group of the same size and population as the chaukidari village.

2. POLLING IN PRIMARY GROUPS.

The primary election would be conducted in the manner described in the Hon'ble Sir G. D. Singh's note* of 11th December 1928 and the annexures thereto. An officer would visit the village, two punches would be elected and the villagers would come up in turn and record their votes. If a property qualification based on payment of chaukidari tax only entitled a villager to a vote, the officer would have with him the chaukidari Assessment Register and by reference to that he would decide summarily with the aid of the punches whether the voter was entitled to vote. It is not anticipated that there would be many attempts to claim a vote wrongly in the presence of the assembled villagers. With adult suffrage the procedure would be even easier, for it would be merely necessary for the presiding officer with the aid of the punches to decide whether the voter was a resident in the village and was an adult. The polling of women especially of the purdah women, might lead to difficulties, but it is very doubtful whether they would be very anxious to exercise their right of voting. The voting should preferably be by ballot.

3. (*a*) Such being, in brief, the procedure in each village the question must next be examined how long it would take to complete the poll of primary groups in a district. The actual polling in each village if by ballot would probably take about one hour for each hundred voters, provided (and the proviso is important) the villagers were duly assembled. If party organization develops, agents of the parties would have to see to this, but even if they did not make these arrangements, it would be necessary to inform the villagers beforehand of the hours at which the poll would be conducted and to adhere to those hours strictly whether 100 per cent. or 10 per cent. or 1 per cent. of the voters came forward to vote. The presiding officer would then go on to the next village and it is calculated that in the more densely populated portions of the province where communications are also good and there are no jungles or rivers intervening between the villages, the presiding officer could do 4 villages in a day if the number of voters in each village was only 100. If communications were bad, he could only do 3 villages. If adult suffrage were introduced, and the number of voters thereby increased, the election would take longer unless it was merely by show of hands and the presiding officer could only do 3 or 2 villages in a day.

(*b*) Assuming subject to the qualifications noted above that the presiding officer could do 4 villages in a day, I examine how the work could be done in a typical district. Gaya, a district with good communications in the cold weather, has 4,179 chaukidari circles; if the elections were spread over a month one officer could in that time do 120 villages; the work would be somewhat arduous and it would be safer to say that one officer could do 100 villages in a month. A staff of about 40 officers could complete the whole district in this period. They would have to be specially recruited for the work but the work would not be difficult and they would not require so much training or experience as officers employed in conducting a poll in a direct election. They would be men of the type employed as Census enumerators or supervisors but would have to be paid. Their work would have to be very carefully organised and probably two or three special officers might be needed in each district for this work; they could probably be provided from the ordinary executive staff.

(*c*) The work of holding the secondary election with an electorate of about 4,000 or so would present no difficulties; it would be held at the district or sub-divisional headquarters and polling arrangements could be made by the ordinary staff of the district.

(*d*) It might be desirable with a view to secure better representation of interests to have two secondary electors for each primary group, and it is

* Not printed.

possible that this would reduce the number of contested primary elections, for the villagers even if they were divided in opinion as to the individual who should represent them might agree on two candidates. If there are two secondary electors for each primary group, the secondary election might be more satisfactory and it would reduce the risk of candidates attempting to bribe, intimidate or coerce the electors in the secondary constituency. The risk of coercion or corruption is, however, not very great if suitable representatives and not men of straw are returned by the primary groups.

4. MUHAMMADAN ELECTIONS.

It is necessary to note that the question of separate electorates for Muhammadans makes the system of indirect election more complicated. In Palestine a somewhat similar communal problem exists and it will be desirable to examine the system adopted there. In a province such as Bihar the Muhammadans are scattered over the whole area of a district and it would be necessary to form them into groups which would not be similar to the chaukidari village. This would not be impossible but would add considerably to the work of holding a primary election. There also appears no radical objection to direct elections for Muhammadans and indirect elections for others; the number of Muhammadans is not so large as to present any difficulties regarding polling except possibly in Purnea district.

For urban elections a system of direct or indircet election presents no special difficulty.

Note on experiment in indirect election by Mr. M. G. HALLETT, C.I.E., I.C.S., District Magistrate, Patna.

At the request of the Hon'ble Minister an experiment in indirect election was held in two villages in thana Phulwari in the Patna district. Details of the procedure followed are given in the note of the Sadr Sub-Divisional Officer whom I placed in charge of the arrangements. The main point to be noted is that the actual election only took a very short period of time and that the votes of two villages for a "headman" to represent them on the proposed electoral college were recorded in about half an hour. I am rather doubtful whether it can be inferred from this that in an actual election votes could be recorded in so short a space of time; if there were two parties in a village and party-feeling was strong, objection might be received which, even if summarily disposed of, would delay the proceedings. Further it must be noted that the one village consisted of 80 houses and the other 112 houses and though the number of adult males was probably between 150 and 200 or possibly more, the number of persons who recorded their votes was under 30 in one case and only slightly more in the other case. As explained by the Sub-Divisional Officer persons were attracted to the spot by the presence of the Hon'ble Minister and the District Magistrate and of police, chaukidars, etc., many were engaged on the harvest and did not turn up; the Muhammadans also explained that several young men were away at an examination. If the voters turned up in large numbers and if only one officer was present to hold the election, maintain order and dispose of objections, I think at least one hour should be allotted to each village for the recording of votes. In addition some time would have to be spent on the preliminary arrangements (election of panches) and on the counting of votes. For election to be satisfactorily conducted the polling officer would have to spend 1½ to 2 hours in the village or at a minimum 1 hour. I may add that this calculation is made on the assumption that he starts the recording of votes at a fixed time which has been announced beforehand and that he does not have to wait till the villagers have all assembled, in which case far more time would be required.

Note by Mr. M. G. HALLET. [*Concluded.*

Even if it be assumed that the actual time which the polling officer has to spend in each village would be 1½ hour, it is difficult to calculate how many elections could be held by one officer in a day. Where the population is very dense and where the villages are near a road, the journey from one chaukidari village to another would not take long, allowing half an hour for the journey between villages, four or possibly five elections might be held in a day, but the work would go on from 8 A.M. till 5-30 P.M. In jungle areas where the journeys had to be made on foot or on a horse going at a walking pace, I doubt whether it would be possible to complete more than three elections in a day without throwing an undue strain on the polling officer. I have not delayed this note to make detailed calculations as to time that would be involved on the staff that would be required to hold village elections throughout the whole of this district. This could however easily be done if required.

The Muhammadan villages in particular seemed to understand the purpose of the experiment and realised that the system proposed would save them the trouble of going to the polling stations. On the other hand, possibly some voters might regret the triennial holiday which an election under present conditions gives to them.

This experimental election did not, of course, give any indication of the type of man who would be elected by the villagers to vote for them at a general election and it is not possible to say whether they would in actual practice elect the most intelligent, respected and influential man in the village or whether they would elect less desirable persons such as village touts who would swell the ranks of " professional politicians ".

PATNA.

Dated 11th February, 1932.

PRESENT:

ALL MEMBERS OF THE INDIAN FRANCHISE COMMITTEE, EXCEPT SIR ERNEST BENNETT, AND ALL MEMBERS OF THE BIHAR AND ORISSA PROVINCIAL FRANCHISE COMMITTEE.

Mr. M. G. HALLETT, C.I.E., I.C.S., Chief Secretary to the Government of Bihar and Orissa.

Mr. W. B. BRETT, I.C.S., Finance Secretary to the Government of Bihar and Orissa.

Mr. E. R. J. R. COUSINS, I.C.S., Collector of Patna.

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1. *The Chairman:* It has been stated that the number of voters in this province is about one per cent. of the total population. Supposing you increase that electorate so as to include ten per cent. of the population, the number of voters will come to about 3,767,000 and odd, will it not?—Yes.

2. Would you be able to make arrangements for elections if ten per cent. of the population was enfranchised?—No, Sir. If the election is conducted in the same way as at present it would take several days to complete.

3. That, I understand, is mainly because you may not have got many people qualified to work as polling officers, is it not?—The most important questions to be considered in this matter are two. One is the question of polling stations which are at present police stations. It is necessary to use the police station as the polling station because we have on the spot a staff capable of maintaining order. If additional polling stations were opened the force of police would be inadequate to guard and keep order at all of them. Secondly, and in my opinion, possibly the more important consideration is the difficulty of providing a sufficient number of presiding officers. As regards the polling officers or polling clerks, the difficulty is not so great, because in an emergency one could use temporary clerks. Of course, they would not be so good and this might result in some difficulty. But the smooth working of the polling station depends entirely on the power of organisation and control of the presiding officer, and it is not a very easy matter to find people in sufficient numbers with the requisite qualifications.

4. What number of people do you think could go to the poll, having regard to the administrative limitations you speak of?—I worked out the figures only for one division in the province, as I have not had the time to work them out for the whole province. I have taken a typical division; that is the Tirhut division which, I may state, is the most populous division in the province. Still, that fact does not affect the calculations very materially. I have ascertained the number of police stations in that division; there are just 90. If you assume that at each polling station a thousand votes at a maximum can be recorded in a day, then for these 90 stations 90,000 votes will be recorded. It is not convenient to increase the number

of polling booths and thereby increase the number of votes that can be polled on one day at a particular polling station, for an increase in the number of booths means that a larger crowd collects and it becomes more difficult to maintain order. But, as I have said, the main point is the difficulty of finding suitable presiding officers. I have gone through the list of officers available in the Tirhut division. I have taken various categories of officers, omitting only medical officers who would be required to look after the patients in their hospitals; I omitted also the Police whose main duty is to maintain order. These officers have been omitted because they cannot be used and are not used for polling work. Every other category of officers has been included. Executive officers, the whole of the judicial staff, the district judge, subordinate judges and munsifs, income-tax officers, inspectors of schools, headmasters and superintendents of post offices have all been brought into the work. In addition to that, in Tirhut we have two large institutions, one a medical school and the other an arts college. I put down the teachers and professors of these two institutions, although probably in many cases many of them will be quite unsuitable for this work. I have then gone to a lower rank of Government officers, the non-gazetted officer. The total number of non-gazetted officers in that division had been put down at about 437. Without making any special enquiries in the district itself, I have calculated that not more than ten per cent. of these would be suitable for discharging the duties of a presiding officer. Mr. Cousins, who is Collector of Patna, may be able to bear me out on that point, that few non-gazetted officers can be used as presiding officers. Finally there are a few ministerial officers such as head clerks of district offices who might be used for the work. They are men of experience and usually they are reliable and trustworthy. But their number would not be large and would not come to more than 20 or so. All these officers total up to 217. I have then taken into account the possibility of finding a number of non-official gentlemen. In that case, a difficulty arises because in the large elections that are to take place in future, the majority of such non-official gentlemen in the districts would themselves be taking sides in the elections and therefore would have to be ruled out from any duty connected therewith. But I assume that each of those four districts would provide ten such officers. Thus I have worked out the figures and it comes to about 250 officers for a division with a population of 9 millions. With this number of officers, and assuming that polling stations were available with the necessary police to protect them and assuming a high standard of efficiency, 250,000 votes could be recorded in a day.

5. What is the net effect of that? How many votes could you poll in the province as a whole if the staff which you have just mentioned could be made available? You say it cannot be ten per cent. of the total population. What is the percentage of votes which you think can be polled on a day, from the administrative point of view?—It is rather difficult to make even a rough calculation off-hand. But I may say that it would not be possible to poll much more than two or three per cent. of the total population.

6. So you say you cannot administratively manage more than treble the existing electorate. The existing electorate is about one per cent. of the total population here. I want to know, viewing it as a mechanical problem, the maximum number of people that can poll votes in an election in the province, as an administrative proposition. Can you give us a more considered view on this point?—I prepared this note* and these figures rather in a hurry last night. I will, if desired, work out the figures for the whole province.

7. Would you explain one or two points on the proposals regarding the scheme of indirect election? I understand you take the chowkidari area

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which on the average contains about 500 people and about 60 houses, as the basis?—It contains on the average rather more than 60 houses. 60 is the minimum number of houses. The average works out to about 100 houses.

8. I am not quite clear from the memorandum whether you contemplate universal suffrage or suffrage only to those who pay 6 annas chowkidari tax. What is your opinion on this point?—My own opinion is that it does not make very much difference in this system of indirect or village election whether you have all the adults of the village as voters or only those paying the chowkidari tax.

9. You say that the one is as practicable as the other?—Yes.

10. Supposing you take universal suffrage as the basis, how do you propose working the system of indirect election?—Three or four years ago, when I was Collector in this district, we made an experiment in a certain village and I think the paper* relating to it is available to the members of the Committee. It shows what was actually done and I contemplate that something on those lines will have to be done if a system of indirect election is introduced.

11. Would there be any nominations?—The idea was to have it as simple and as expeditious as possible. The officer holding the election would go to the village and the candidates would be orally named. There would be no nomination previous to the day of election.

12. Then it is to be done by a show of hands?—In the experiment we conducted, we did it by means of ballot.

13. Were the names of the candidates put on the ballot papers?—It was the same system which we have in the ordinary Council elections, *i.e.*, using red and blue boxes, or other coloured boxes.

14. You get nominations by a system of asking people, and then you allot a coloured box for each, is it so?—Two people would be nominated by the villagers to serve as panches or umpires and then lots would be drawn as to which candidate was to be allotted the red box and which the blue one. Then the voters would go and put their voting papers into the box they chose.

15. How did they go to the ballot boxes? Is it informally or in some order?—They go one by one in turn.

16. Were they allotted their turns from a register?—No. In this experiment we did not use any register. It was a very rough experiment. It was conducted on the assumption that every person in the village would be entitled to vote.

17. Would it not be possible to adopt a similar system by grouping a smaller number of people than 500? Let us say that the village is to be divided into groups of 50 and they elect one among themselves who will be entitled to vote for the legislature. Can this not be worked according to your experiment?—It would be extremely difficult to work it. The chowkidari village is a well-established and well-known unit and to subdivide it would lead to considerable difficulties.

18. Would it be possible to elect 5 people at a general meeting?—Yes. Personally I favour that system. I think this method will also tend to bring in representatives of the different classes and castes in the village. Supposing they have to elect three or four persons, they would elect one person of the higher castes and, say, one person from the depressed classes and so on. But I admit this is a matter of opinion.

The Chairman: I would call upon Major Milner, who has experience of elections in England, to put questions to the witnesses.

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19. *Major Milner:* This note on the arrangements for Direct and Indirect elections emanates from you?—(*Mr. Hallett*): Yes.

20. On the question of electoral rolls, I gather from your note that at present it is difficult to prepare the electoral roll or to get it up-to-date even with the present qualifications of voters. Would you prefer an electoral roll composed of all those who pay the chowkidari tax?—Yes.

21. It it not an impossibility then to prepare the electoral roll with the present kind of franchise and to bring it up-to-date every time?—If you have a widened franchise it would involve very detailed enquiries in the district, to ascertain what was the rent or cess paid by each person and whether they had any records to prove the fact and so on; it will take six months or so. (*Mr. Brett*): The present roll itself is not very accurate, I am afraid.

22. And therefore you would impress on the Committee the desirability of basing the franchise on the chowkidari tax?—Yes.

23. At present the franchise is based on the payment of land revenue or cess or rent. If that is changed, and the franchise is based on the payment of chowkidari tax, do you think it would deprive any of those who are at present enfranchised of the vote?—I do not think so. Everybody who is now enfranchised pays rent or cess, and so must have a holding in the village, and he ought to be paying the chowkidari tax.

24. And therefore all those who are at present enfranchised will continue to be enfranchised, and some more will be added to the present numbers in the existing rolls?—Yes.

25. I see from your memorandum that if the property qualification is based on the payment of chaukidari tax of any amount, the result would be to enfranchise 2,741,012 people, is it so?—Yes, Sir.

26. Of course, if the tax paid was limited in some way, to that extent the electorate would be reduced, is it not?—Yes. In the memorandum, there is a statement* showing the persons paying chaukidari tax of 6 annas and above, and Re. 1 and above. So that as between persons paying 6 annas and those paying one rupee, the difference would be about 1,300,000. (*Mr. Cousins*): May I suggest that any proposal to make the chaukidari tax the basis, would have a reaction on these figures, because people not at present taxed who desire the vote might like to come in.

27. So, to that extent it will be a good thing. It will help the finances?—No. What I mean is that there will be repercussions and reactions on the chaukidari tax if it is made the basis. The amount to be raised is a fixed amount, and if more people are assessed, the payments of all the others will necessarily be scaled down.

28. Do you think any difficulty would arise?—I do not say that. I mean that deductions from the present figures are likely to be falsified.

29. I gathered from Mr. Hallett's replies to the Chairman that there are three difficulties in conducting elections, firstly the shortage of polling stations, secondly, the lack of competent presiding officers, and thirdly, the difficulty of policing all polling stations. Do you agree?—(*Mr. Cousins*): Yes.

30. With regard to the polling stations, what arrangements are made at present?—They have at present only police stations as polling places. I am speaking of rural areas.

31. No difficulty arises in urban areas as regards polling stations?—Even there it is not very easy to find suitable places. In one municipal election which I held at Gaya I had some difficulty in finding a suitable place. I had to use even private houses.

* Not printed.

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32. Cannot these difficulties be got over?—Yes, to a certain extent.

33. Are the police stations fixed as polling places because they are suitable or because they are the only places in which you can accommodate the voters?—There may be, in some cases, other places also.

34. But, generally speaking, they are restricted for the most part to police stations?—Yes. (*Mr. Brett*): On the average, probably not more than 8 or 10 police constables are available for the whole area of a police station. If you are to have a number of polling stations, say 15, scattered over a large area, you will have to make other arrangements also, and the police staff will be inadequate.

35. What type of officer do you consider is suitable to act as presiding officer?—The best presiding officers are experienced executive officers, such as Deputy Collectors; Sub-Divisional officers are by far the best.

36. How far down the scale could you go?—You could not go below, speaking generally, the Sub-Deputy Collectors who are subordinate officers on about Rs. 150—500.

37. Is your memorandum based on that?—I have worked on those lines. I have included all the Sub-Deputy Collectors and a small percentage of people who are lower in the scale of Government service.

38. In your memorandum you take an instance of a typical district, Muzaffarpur. There, if you assume 10 per cent. are to be enfranchised, you would have 240,000 voters and if 200,000 come to vote you would require 200 presiding officers and 800 clerks.—Yes.

39. Is it not possible for one presiding officer to conduct polling at two stations?—(*Mr. Cousins*): No. In fact we found in Patna that one man could not manage one polling station and we had to attend to many Presiding Officer as well. The Prseiding Officer has to attend to many duties. In addition to maintaining general control he has to give out the ballot paper which is like a cinema coupon; he has to punch it with a special stamp and he has to note on the ballot list against the corresponding number, the number of the voter.

40. Is it not possible for that to be done, as in England, by polling clerks?—We have never entrusted that to the polling clerks. The polling clerk as soon as a voter comes up has to find out what the name of his village is and what his name is and check it with the electoral roll. When he has ascertained that all is in order he shouts out to the presiding officer that the number is so and so, and the latter then issues a ballot paper.

41. Is it not possible for the polling clerk, having taken the name and the number, to stamp the ballot paper?—No, for you will only be going into the stage where there might be corruption.

42. In what way could that system not work?—The ballot papers might be given out to persons who are not voters at all.

43. Is the presiding officer not in the room, superintending all the time?—He has got several sections to look after. If you bring in a lot of petty subordinates there will be corruption.

44. Is that the only reason why the presiding officer notes the ballot paper?—Yes, I presume, because it is responsible work.

45. Do you think it would be possible, in course of time, to work on the lines of the English system under which there are a number of polling clerks. They work in pairs; one checks the voter's name and the other notes on the ballot paper and checks the voter's number on the electoral roll and the counterfoil?—It is possible if you could get sufficient reliable men for the purpose.

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46. If that could be done, it would relieve the presiding officer of a good deal of work?—But you are coming down to people getting Rs. 30 or Rs. 40 a month recruited locally and subject to local influences. It is difficult to see how they can be entirely free from temptations.

47. They have to work in pairs, one could check the other.—It could be done if reliable men were available

48. You say that under the present arrangement practically the whole executive staff including the gazetted officers, has to be placed at the disposal of the District Officer for the purpose of holding an election. Will that system not relieve some? You have a Deputy Presiding Officer in addition to the Presiding Officer.—One man cannot sit practically all day from 11 A.M. to 5 P.M. without a single second of rest at all. He must have some relief. The usual hours of polling have been from 11 to 6.

49. Is there any difficulty in a great majority of the voters going to the polls during this time?—There have been some cases where people could not vote.

50. What do you think is the minimum period that should be given for the electors to go to the polls?—The electors can get to the polling booths within the prescribed hours, but there is always a rush at the end of the day.

51. What length of time would the electors need to enable them to be dealt with?—It depends on the number of electors in the area. A polling station may have 1,500, 600 or 500 voters.

52. In the case of an area containing 500, would it not be possible for two additional polling clerks to do it?—Yes. They can do it from 11 to 5, if the voters come in a reasonably steady flow. (*Mr. Hallett*): The difficulty is that they do not come in the early hours of the day. The hours are 10 to 5. You have a very small percentage coming between 10 and 1. After 1 they roll up in large numbers. Before that there may be two or three coming in an hour.

53. Again, in this district of Muzaffarpur, I see, you say it is doubtful whether more than 80 or 100 suitable officers can be obtained and therefore you don't think that you can poll more than 100,000 votes.—That is the maximum, assuming that a steady flow of voters continues to come in all the time. It depends on the organization by the agents of the parties too.

54. On the matter of indirect election, I understood you to say, in answer to the Chairman, that you would prefer the unit to be the chaukidari village.—Yes.

55. It would be quite easy to divide the village into groups. If the unit is 20 and the voters 400 then there might be 20 people to be selected. Would that work well? Or would you like 20 candidates from 20 separate groups?—The former would be the easier system. If there were 20 groups the officer has to go round 20 different places and hold an election. It will take nearly a day.

56. In the matter of the electoral roll I understood you to say that it was unnecessary in connection with primary elections.—No. My idea is that if the election is held in the village it will be an informal affair. Everybody knows who the adults of the village are. There will not be any need for an electoral roll.

57. Supposing it was desirable to have an electoral roll, would there be any difficulty in preparing that?—It would practically mean the holding of the census of the province.

58. Do you mean at intervals?—The only record that you could possibly use would be the books that are used in the census.

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59. How often is the census held at present?—Every 10 years.

60. *The Chairman:* Is that because of the permanent settlement?—No, even in temporary settled areas there would only be a register of individuals holding lands, not of all residents in a village.

61. *Major Milner:* What would be the administrative difficulties in preparing the electoral roll of the adult voters?—It can be done. The simplest way, I think, would be to take the books from which census is compiled. I believe they are preserved, I am not certain. You have the name of every man, woman and child there and you could find out from that who were over 21 in the village.

62. Could not that be kept up to date by clerks?—It can be done by clerks going round and making enquiries.

63. Could you say how many men will have to be employed in keeping that up to date? We might be able to form some opinion as to how far it is practicable.—I cannot answer that question offhand. I will ask the Census Superintendent what information he does exactly possess.

64. From your note I see that in the Tirhut Division the number of voters is 60,653 and it is divided amongst 12 constituencies. The boundaries of those constituencies are co-terminous with the boundaries of the division?—Yes, and with the boundaries of the district.

65. You have 90 police stations in that area?—Yes.

66. And the average area served by each police station is 1,300 square miles and the average population is about 100,000. That would mean that each polling station would have to deal with that area and that population.—The average is rather misleading because police stations vary very much in size and population.

67. In this division you estimate that it would only be possible to double the electorate provided the elections are to be held on one day.—Yes.

68. It means bringing the 60,000 to 120,000.—Yes.

69. Have you in your list of officers brought in every one who, in your opinion, can suitably be entrusted with the duty?—The only one I have left out is the Chaplain.

70. *Diwan Bahadur Ramaswami Mudaliyar:* In other provinces elections are held between 7 in the morning and 6 in the evening with an interval of one hour. Is there any difficulty in adopting that system in this province?—The first elections in 1921 were held from 7 to 5, but that was abandoned in the subsequent elections. It involved a heavy strain on the polling officers and polling clerks, and voters did not turn up in the early hours.

71. But you give an interval?—Yes, that could be done. That is the time when the voters are likely to turn up. That was my experience. They have got long distances to come from. They start in the early morning and reach the station at about 12 noon.

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72. With reference to the two clerks sitting together instead of the presiding officers, what is the nature of the corruption you fear?—Apart from the possibility of ballot papers being issued to persons not entitled to them, I fear that the secrecy of the poll might be lost, if the ballot paper numbers are known to the clerks.

73. May I understand that each candidate has a coloured box?—Yes.

74. Then how would the clerks know for whom the voter is voting? The identity of any particular vote cannot be found.—It might conceivably be found if the ballot paper number is known, but besides this the clerk can

easily make some mark on the paper. All votes are rejected if any mark has been made on the ballot paper.

75. Are the names of the candidates printed on the ballot paper?—No. Nothing is on the ballot paper except the ballot paper number, the constituency and the stamp given by the presiding officer.

76. And there is a serial number to all the ballot papers.—Yes.

77. And there is a list kept by the presiding officer. When the boxes are broken open the total number of votes will coincide with the total number marked on the electoral roll.—No, because some voters do not put their papers in the box.

78. But the number must be the same.—The number of votes recorded cannot of course exceed the number of ballot papers issued.

79. Therefore, in that way there is not much possibility of corruption.—If the clerks issue the ballot papers and mark the lists there might be.

80. There are agents of candidates of both sides?—Yes.

81. It would be for them to check these things?—It might be in their interest to connive at them.

82. So that the candidates are represented by agents?—But there is a tremendous turmoil. Another point in that connection is the question of claims and objections that would be lodged, if there was a suspicion of corruption.

83. You mean challenged votes. That, of course, would go to the presiding officers.—Yes.

84. You said there is scarcity of presiding officers. May I ask whether it is possible to employ retired civil officers with the rank of Deputy Collectors?—It is quite possible. But in many cases they would be too old. Some retired Deputy Collectors, if they can do the work, would by far be the best officers.

85. May I ask whether it is possible to employ retired military officers of high ranks?—Unfortunately there are none in this province.

86. *Khan Bahadur Aziz-ul-Huque:* At present in the election you generally have one presiding officer and four clerks in each polling station.—Generally one Presiding Officer, an Assistant or Deputy Presiding Officer and four or five clerks.

87. In each police station?—It depends on the number of electors. If the number of electors is small, their number would be small.

88. If the duty of the polling clerk is merely to check the name and shout out to the presiding officer the number, I don't see any reason why it should not be done by one clerk only instead of by 4 or 5?—It will take longer. The names have to be checked and the clerk has to trace out the number in the electoral roll, etc. "Where is your home, what is your village"? All such questions have to be asked. By dividing the list into sections under different clerks 4 or 5 voters can be dealt with simultaneously.

89. All that cannot be done by one clerk.—It will be slower.

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90. *Mrs. Subbarayan:* You say that the polling of women might lead to difficulties.—I base that observation on the experience that I have of illiterate women coming forward as witnesses before me. My experience is that it is very difficult to get answers to questions from them.

91. Questions regarding what?—When a woman comes into the witness box, you ask her name, the name of her village, etc. My experience,—not only mine, but I think of other judicial officers too—is that it takes two or

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three minutes to do that. In the case of polling there would be similar difficulties. One has to ask, " are you so and so, and is such and such your village ". In answering these questions they will take a considerable time.

92. Would it be easier if there were women polling officers?—Assuming you get efficient women polling officers, it may be better, but that is a big assumption to make.

93. Do you suggest the grouping of men and women together for the indirect election?—(*Mr. Hallett*): Yes, certainly.

94. And polling at the same booth?—Yes.

95. You are advocating men and women polling at the same booth together. Would it not be difficult in a village if there is a polling booth inside the village?—In my opinion it would not be difficult seeing that very few women who possess the vote will go to the polls.

96. For the polling of direct votes, will it be possible to get women polling officers?—Quite impossible. It would be impossible to get women polling officers in any number.

97. Have the Government worked out the figures and found out if it is possible to enlist women for polling duty?—There are very few women Government servants who would be suitable to act as polling officers.

98. What about school teachers and lady doctors?—There are a few lady doctors in the service of Government in this province, but even they may not be able to do this work at all.

99. Have you considered the question of enlisting the help of voluntary workers?—That may be done subject to the qualification that I made with regard to men that they are not taking any part in the election.

100. Can you give the Committee a short note on this point?—I can furnish a short note giving roughly the number of women in the districts in Government service.

101. *The Chairman:* Including the teachers?—I can give it roughly only.

102. *Mr. Miller:* It was stated that if the vote was given to persons paying the chaukidari tax, the tax could be more easily collected. That seems to indicate that more intelligent interest will be taken in political matters if a vote could be secured that way?—(*Mr. Cousins*): The tax would be paid by the candidate probably.

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103. *Mr. Tambe:* How many members of the Bar have you in your province? Can they not be utilised, at least a good many of them who do not take active part in politics?—The majority of them take active part in politics.

104. I think every one of them should. I am asking whether, even though they are taking part in politics, if they do not take part in the elections going on, their services cannot be utilised?—May not one of the candidates contend that the presiding officer was not impartial? Is there no risk such as that? Members of the legal profession, even though they are not taking active part in politics, might have expressed strong political views and the candidates might object to their being appointed as polling officers.

105. Are they not employed in England?—Yes, they are.

106. Then can they not be employed in India?—It is possible. But I think most of them would be taking part in the elections, and would be unwilling to do the work.

107. Could you give us the number of members of the Bar and the number of them that could be utilised for polling duty?—I am afraid I cannot.

Memorandum submitted by the BIHAR AND ORISSA COUNCIL OF WOMEN, Patna.

The Bihar and Orissa Council of Women, at a meeting held at Government House, Patna, on the 3rd February 1932, arrived at the following conclusions regarding the questionnaire issued by the Franchise Committee—as far as it concerns women's suffrage.

3. (*a*) That in this province women's suffrage needs extension, the present franchise not providing proper representation of women in the legislature.

That to ensure discriminate and judicious exercise of the right of voting, certain definite and well-defined qualifications only should be recognised as the basis of extension.

That they strongly disapprove of the suggestion of the Statutory Commission that the wives or widows of such persons as are or were voters under the property qualification should be enfranchised as wives or widows of enfranchised men.

That they suggest that the following points should be considered for the purpose of extending women's suffrage:—

(1) The age of enfranchised women, of whatever qualifications, should be fixed at a minimum age of 21.

(2) The property qualification in their own right of women should be fixed at a minimum annual payment of Rs. 3 as rent or taxes on real estate.

(3) The *minimum* educational qualification standard recognised should be the "Middle Vernacular".

(*b*) That, if the system of group representation be introduced, the Council of Women approves of the representation by group system in rural areas. But they are strongly of opinion that women should be formed into separate groups, and not grouped with men.

7. That, with regard to the representation of women in the Federal Legislature:—

(*a*) There should be reservation of seats for women.

(*b*) The system of separate electorate should be recognised.

(*c*) The qualification for franchise should be the same for men and women.

8. GENERAL.

In view of the fact that the women so enfranchised will be few in comparison with the men and of the existing social conditions, the Council of Women is strongly of opinion that for the transitional period (10 years at least) there should be a separate electorate for women, with reservation of seats.

The Council of Women further resolved that the Honorary Secretary, Miss S. B. Das, be authorised to represent the Council before the Franchise Committee if required to give evidence before the Committee.

Miss DASS, representing the Bihar and Orissa Council of Women.

1. *The Chairman:* Miss Das, I understand that you are speaking on behalf of the Bihar and Orissa Council of Women?—Yes. If you ask any other question, I can answer also in my individual capacity.

2. Will you tell me, on behalf of the Bihar and Orissa Council of Women, what its constitution is?—The Bihar and Orissa Council of Women is

affiliated to the National Council of Women in India. The National Council of Women is composed of five Provincial Councils of Women's Indian Association. Without the provincial councils the National Council of Women will have no separate existence. According to our constitution, politics are outside the scope of our Council. We work for the welfare of women and children, educational advancement and so on.

3. Can you tell me the membership of your Council?—We have in Patna about 70 Indian and 55 English members on our Council. Then we have got a branch at Cuttack, one at Jamshedpur and another at Ranchi. Altogether we have got more than 300 members all over the province. Besides this, we have got loan members. We have not got branches all over India and so in places where there are only one or two scattered members, we call them loan members. They work in those places for the Council of Women.

4. You said in your written evidence that your Council strongly disapproves of the suggestion of the Statutory Commission that the wives and widows of men qualified to vote on account of the possession of property should be enfranchised. Can you give me your reasons?—We are strongly opposed to wifehood and widowhood being recognised as qualifications for the franchise, because we think that the elementary rights of a human being should not be based on some extraneous factor such as widowhood or wifehood, which is not under one's control. We think that the object of democracy would be defeated if such things were adopted for increasing the number of women voters. Then, again, if widowhood and wifehood as such become qualifications for franchise, there would remain no incentive for women to acquire the literacy qualification to entitle them to a vote. The result of this will be that such women will never be able to exercise their votes discriminately and independently. This is one reason. Another reason is that the women of this province are educationally far behind those of other provinces, as we find from the fact that though the number of women in this province is 18,000,000, yet there are only about 72,000 literate women. Now, this shows that women in this province will not be able to exercise their votes independently and discriminately. And not only that, as they are illiterate by custom or by existing man-made social laws, the women of this province are subordinates in the household. Naturally, if they are enfranchised, they will not be able to do anything contrary to the opinion of their husbands. Therefore we want that the women who are to be enfranchised should be able to exercise their franchise discriminately.

5. So, you are not concerned with the numbers?—No. We have not obtained the exact figures of literate women in the province, because we are not for giving the vote to all the literate women in the province. They may number about 72,000. But we do not wish that they should all get the right to vote.

6. You do not see any objection to a number of illiterate men being qualified to vote by reason of their possessing property, but you have objection to a much smaller number of women, also illiterate, being on the electoral rolls?—I want women who have property qualifications in their own right to be enfranchised.

7. If property is taken as a qualification for the vote, is there any particular reason why when it qualifies the man for the vote, it should not similarly qualify the wife? Do you have strong objections to the same property qualifying the widow of a man?—I have, because, in the case of the man who exercises the franchise on account of the possession of property, there is reason to believe that he knows everything that is happening outside; whereas in the case of the wife, though she is the wife of the man

who owns property, she knows nothing about what is happening outside her home.

8. You state, further on in your written statement, that the age for the enfranchisement of women should be reduced to 21 and that the property qualification by which they get the vote in their own right should be reduced to Rs. 3. I understand that the existing qualification for men is Rs. 64 in certain districts and Rs. 16 in certain others. I should like to know why we should very much lower the property qualification for enfranchising the women than for enfranchising the men?—I may be mistaken with regard to that. My information is obtained from the figures regarding women enfranchised in Bihar in 1929 on the same qualification as for men. They pay a municipal tax of Rs. 3 only at Patna. We do not like to decrease it or increase it.

9. You want the same qualification for women as for men?—I do, but the degree of property qualification will be different in the case of women. If you are going to increase the number of men voters by enfranchising people who pay chaukidari tax, I do not want that the women should be considered eligible to vote only if they possess the property qualification. Here I think there should be difference. That is the reason why we have brought property qualification down to Rs. 3 annually.

10. If we take the payment of six annas chaukidari tax as qualification for the vote for men, would you have that also for women?—No.

11. What would you have?—The same thing as Rs. 3, because we want discriminate voting.

12. Further on you suggest that for the representation of women in the Central Legislature, there should be reservation of seats by separate electorates. How many seats you want?—Two only. We say two only because, now Bihar and Orissa constitute one province, but if Orissa is separated we may have one for Orissa and one for Bihar. This means two for the province as a whole: one for Orissa and one for Bihar.

13. For that purpose the women voters should be grouped in a separate electorate and asked to vote?—Yes, on the same qualification as for men.

14. *The Hon'ble Mary Pickford :* You say that with regard to the representation of women in the federal legislature, you are in favour of having the same qualification as for men?—Yes.

15. I gather from your written evidence that you are in favour of having reservation of seats in the federal legislature with a separate electorate? How would you form these separate electorates?—By forming a separate women's constituency.

16. We take it that the number of seats in the provincial legislature will be fixed. Therefore if you have separate constituencies for women, you must take out of that fixed number, a certain number to be filled up by women electorates. Do you think that such constituencies should be formed on a territorial basis or geographical basis or some other basis?—If we enfranchise women for the possession of property on the same basis as men as they are now enfranchised, their number would not be very much. In the last election we found that there were about 7,000 or 8,000 women possessing property qualifications. Then again if we take the educational qualification of women, taking the middle vernacular standard as the basis, the number of women voters will be greater. I do not know what the number will be, because I have not been able to find it out. But whatever the number, if we have reservation of seats, say 5 per cent., 10 women would stand for election.

17. Your suggestion then is that there will be only a few women who would come up in separate electorates. Would you have women candidates only or would you allow men to stand as candidates in women's electorates?—

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No. I would like to have women candidates only. During the transitional period we will not want to do anything with men, because I have my own experience in the matter of elections.

18. I understand that in this province the *purdah* is rather strict. Would it not be difficult for a woman candidate to travel all over the province canvassing the votes of women in a separate electorate?—I think for a few years the women who are in *purdah* will hardly take any interest. For even in 1929 when they were first enfranchised, we see from the figures published that out of about 8,000 women who were enfranchised, only 229 took part in the elections. So, even if women are enfranchised and their number comes to 20,000 or more, very few women will take part in elections in the beginning. But gradually they will have political education and will come forward. But we do not think we will have anything to do with men even in the beginning because they would not take so much interest in women's affairs.

19. You say that very few women use their vote, and in any case there would be very few women electors. Do you think it is fair that women should be returned to the Legislative Assembly by a few hundred voters, whereas a man candidate has to satisfy many thousands of electors in order to be elected to the same Assembly? Is it fair?—It is not many thousands of votes. In any constituency we generally have 2,000 voters. In the beginning, if we have a separate constituency for women, there might not be many voters, but gradually women will come forward and they will take part in the elections.

20. When you say that you want to have separate electorates for women and you do not want anything whatever to do with men, may I take it that it is the view of the Bihar and Orissa National Council of Women?—That is the view of the National Council of Women of Bihar and Orissa. They want separate electorates for the local legislature and reservation of seats for the transitional period.

21. You are asking for three elected members for Bihar and Orissa?—Yes.

22. Do you think that a different view is held by another women's organisation?—There is the other women's organisation, but they have not dealt with this question at all.

23. So, so far as organised women in this province are concerned, you say they are represented by the 300 members of your organisation?—I cannot say that the number is 300, because I have got information from the Cuttack branch only. I have not received any reply from the Jamshedpur branch. So I cannot say that the number sharing this view is 300. It is only 200.

24. *Mrs. Subbarayan:* Before I ask any questions as regards details, may I have some information about your council? Is your council affiliated to the National Council of Women of India?—Yes.

25. Are you aware that the National Council of Women of India issued a memorandum last August jointly with the All-India Women's Conference and the Women's Indian Association on the political status of women?—Yes.

26. What action did your association or council take on it?—As Secretary of our council I had to place it before the various branches, or rather the vice-presidents of these branches to elicit their opinions, and I think that all our branches rejected this memorandum. When I had that information and placed it before the committee of management, that committee also could not accept such opinions as were laid down in that memorandum. Therefore we had to reject the memorandum without expressing any views thereon.

27. Could you tell me the reasons for your rejecting that memorandum?—As I said already, our council is a non-political body, and our council thought that this memorandum was a political document, because we found that it

dealt with party politics. On the first page of the memorandum it endorses the declaration of fundamental rights of citizenship made by the accredited leaders of the nation, that is, the Declaration of Congress. So, our Council being a non-political organization did not like to take part in party politics. It is true that we have sympathy with the extension of women's franchise, but as the memorandum embodies the views of one political party, we rejected it.

28. Do you still think that the memorandum of the National Council of Women of India is a political document?—Even at that time we did not say that it was a political document as such, but at first we sent a reply about this memorandum saying that our council had sympathy with the extension of women's franchise. But later on we wrote to them to say that the memorandum was not in accordance with the constitution of the National Council of Women here, for that constitution lays down that politics should be barred, and that no part was to be taken in politics.

29. In your answers you say that wifehood should not become a necessary qualification. But that is not going to be a necessary qualification. For, a woman who has other qualifications will get a vote without being a wife or widow. This proposal has been made because women throughout the country, under the Hindu law, do not inherit property.—I do not mind giving votes to the wives and widows of men where education is advanced. But in a province like Bihar and Orissa where we have got 18 millions of women, only 72,000 of whom are literate, and we cannot even boast of a college for women, certainly we do not think that wives and widows who are not educated and have not got the property qualification should be enfranchised.

30. But if a woman owns property in her own name and pays Rs. 3 as tax and is illiterate, she has the vote; and you have no objection to this right being conferred on her even if she is *purdah*?—I have no objection because, if a woman pays tax herself, she knows something outside her home; for, it is she that pays the tax, not her husband. Whereas in the case of a wife she does not know what is happening outside her home because her husband pays the tax.

31. Does your council then think that the mere payment of tax gives a man or woman a sense of discrimination?—Not at all. We put down education as a qualification; education should be the primary qualification for enfranchisement. But at the present time women have been enfranchised on the property qualification and Hindu women do not as a general rule possess any property. Anyhow when they have got this benefit already, why should we take away that benefit from them? Besides that, women who pay the tax are certainly far better qualified than women who do not pay any tax at all.

32. As regards the educational qualification you say that the standard to be recognised should be the Middle Vernacular, is that not so?—Yes.

33. Will it be possible to find out if the voters have got that qualification? What method would you suggest to find it out?—It is very easy, I think, to find it out, because the information can be obtained from the Education Department. I may say that we wanted to lower this standard to Lower Primary, but found there would be greater difficulty. But as regards the Middle Vernacular standard, I do not think there will be any difficulty because the numbers are few.

34. Do you know that there are many women who can read and write but who have not passed any examination? I believe in the Moslem community there are many literate women who have not passed any examination. Why not give them the vote?—We have fixed this Middle Vernacular standard for all communities. We have no objection to women who reach this standard being given the vote. But simply reading the Koran or signing one's name does not mean that a woman can vote with discretion.

35. You do not approve of a mere literacy qualification?—No, because it is no qualification at all. By literacy, I take it, is meant what is mentioned in the Census report.

36. You insist on voters passing an examination and taking a certificate?—If they are going to be enfranchised up to the Middle Vernacular standard, they have to pass an examination. You can make out a list of such women from the Education Department.

37. Don't you think that this will make the electorate very restricted?—In the beginning we want to fix this standard because in this province women have not got the same advantage as the women of your province. Naturally we must move cautiously in the beginning.

38. Then as regards reservation of seats, don't you think it will be in the interests of women, if they have joint electorates with men, for then men will have to depend on the votes of women as well? Have you considered the question in that light?—I have thought over that question in that light too, because many women in this province asked me not to propose separate electorates but joint electorates. And naturally I had to think about that matter. I found that even if you have a joint electorate and if you are going to increase the number of women voters, or, for the matter of that, even if the present numbers are considered, it would be very difficult for women in the beginning to go about canvassing and asking men to vote for them. I personally know how difficult it is to do so, as I felt it when I had to go and ask for votes and canvass in the University constituency which is supposed to be the best and also the most enlightened constituency.

39. Have you considered the suggestion of co-option?—Yes, I have. There again I found difficulty. By co-option what I understood was this. If the strength of the Council is fixed at 200, and if you allow the women ten seats in it, the number of the Council would be considered to be 190 only, that is, excluding women, and the 10 women members are to be elected by the 190 members of the Council. Then the deserving and independent women, unless they belonged to a party, would have no chance of returning to the council—men in the council would have many interests and many members would contest for the Presidentship and Ministership and unless a woman promises to vote for a particular party she would not be elected. I am afraid men would not give a fair fight to a woman and after my experience in the joint electorate I would not like to depend on men's vote for election to the council. So, I do not want to give this power of co-option to the members of the Councils.

40. But the system of voting will be by proportional representation. The majority party will not succeed in getting only its own candidates. It will also give a chance to other candidates. I would request you to ask your council to consider this suggestion of co-option. What do you say?—I will put that matter before our council. If the council accepts it, I have no objection.

41. In answer to Miss Pickford's question, you said that there were other women's organisations in this province. Could you tell me if there is a branch organisation of the All-India Women's Conference?—Yes. We have two constituencies in this province, *viz.*, one in Orissa and the other in Bihar and I am the standing committee member for Orissa.

42. Have they considered the questionnaire of the Committee?—I do not think so. The local secretary will be able to tell you whether the questionnaire has been sent to the Standing Committee member of Bihar for the All-India Women's Conference. I know that the Standing Committee member for Orissa has not received a copy of it.

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43. *Sir Muhammad Yakub:* In answer to some questions you said that your association is a purely non-political association, and that your association has nothing to do with politics. May we therefore take it that your statement this morning is the statement of one who is not qualified to speak on politics?—I think I said in the beginning, party politics. We are for the extension of women's franchise but our association does not take part in men's party politics.

44. *Khan Bahadur Aziz-ul-Huque:* I want to know how many Mussalman lady members there are in your council.—Very few. Not even half a dozen.

45. *Dr. Ambedkar:* Do you want the women of this province, so far as the Federal Legislature is concerned, to form one constituency for the whole province?—Yes.

46. Do you realise the difficulties of electioneering?—I do. But women are going to stand for the Federal Legislature. The voters for the Federal Legislature will not be many because they are to have some higher qualification.

47. The women voters will be scattered all over the province, a large area, and can you realise the difficulties, in an electorate of this sort, in the matter of canvassing and polling, assuming that your view of separate electorates is the correct view?—I am in favour of separate electorates both for the local Legislature and the Federal Legislature. I thought over the matter and have formed this opinion.

48. Do you think it is a simple matter?—The number of voters will be small and we shall have separate polling stations; I do not see much difficulty.

49. It is not a question of numbers but of the large area over which the voters will be spread.—They get the vote according to their qualifications and the voters will not be many; they can be conveniently arranged into polling areas.

50. *Lady Imam:* I want to put only one question, which has been to some extent anticipated by Sir Muhammad Yakub. Is it not a fact that whenever any political question has been mentioned in your association, it has been turned down as being merely political?—Not because it was merely political, but because it came under party politics. There have been three occasions when such questions came up before our council since I have become the secretary, that is, during the last three years. The first occasion related to quite a different matter with which this province was not concerned; I think it was something about police officers. The second occasion related to an enquiry in an Indian State; in that also we did not think we need take any part. And the third occasion was when this joint memorandum of the All-India Women's Conference was sent to us. So, three times these questions were put before our Council, and three times we rejected them on the same ground, that is, that they concerned politics. But when the question of women's franchise came up, it was accepted.

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Mrs. KAMAL KAMINI PRASAD, Representing Women.

1. *The Chairman:* Do you represent any organized body?—No.

2. You are speaking for yourself?—Yes.

3. Have you got any public position? You are not a member of any association?—I am a member of the All-India Women's Conference and also a member of the Bihar Women's Council.

4. Would you give us the benefit of your views?—The questionnaire says, "are you in favour of increasing the women's electorate in the ways

suggested by the Statutory Commission". I am in favour of increasing the number in the ways suggested in the questionnaire. As it is, in this province women do not inherit property. It is only their husbands who inherit. Therefore a very large number of women in this province have been deprived of their right of vote. To my mind this method appears to be the most efficient method of increasing the number of enfranchised women. So, I should suggest that women who are wives and widows of husbands who have got property qualification should be enfranchised.

5. Your object would be to get a large number of women on to the electoral roll and that is the simplest way of doing it?—Yes, because at present we have got to increase the number. The age should be 21 as in the case of men.

6. Supposing you had a system of groups, would you like women grouped separately or in the same group as men?—I should like to have joint electorates with the men, because I don't believe in separate constituencies of women. I believe in the co-operation of men and women.

7. Do you think that in practice if you had a system of primary groups, many women would be elected on to the secondary roll to-day if they were grouped together with the men?—I think so.

8. *Mrs. Subbarayan:* Do you think that it is necessary to have special provision to ensure representation of women in the legislatures? Do you think women would be able to come in by ordinary election?—I should like women to contest with men, but for the transition period it would be helpful to them if seats were reserved in the council.

9. How many seats do you think should be reserved for them?—That would depend on the figures.

10. What percentage?—I have already told you, I should like to have women contesting seats along with men in the council and side by side I think seats should be reserved for them just for the transition period.

11. What percentage?—Not less than 20 per cent. at least.

12. How should those seats be filled? By what method?—These seats may be filled by women who are quite forward. They may not be educated in English. There is a sufficient number of women in this province who really can work in their own language, I mean Hindi. These seats can be filled by those women. They would send in their names through some organization, for example, the All-India Women's Conference or the Bihar Council of Women.

13. And who elects them?—In a general meeting the ladies themselves will elect.

14. The women's organizations will elect them?—Yes.

15. Are you a member of the Standing Committee of the Women's Conference?—I was, but am not this year.

16. You don't know the views of the Standing Committee of the All-India Women's Conference.—No.

17. *The Chairman:* Do you think there would be any difficulty in women voting along with men?—I don't think there would be much difficulty. Of course, there will be some difficulty in the beginning. I should like separate polling booths for women, because there is a regular wrestling in the polling stations and naturally women would not like to be huddled up together with men. For this reason I would suggest that we should have separate polling booths, if necessary, for some time in the transitional period. *Purda* arrangements may also be made.

18. That means women polling officers?—Certainly.

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RAM SARAT KUMARI (examined in Purdah).

(The Chairman called on the Hon'ble Mary Pickford to say what Ram Sarat Kumari had said during her examination in *purdah*.)

The Hon'ble Mary Pickford: She was in favour of the extension of the franchise. She wants the property qualification to be the same as for men in addition to some literacy qualification. She wants women officers of some kind to be appointed for election purposes. The vote was at present very little exercised. At present there was no arrangement to educate the women politically. She is in favour of joint electorates and she thought that it was absolutely necessary that women should be on the Council. Her opinion was that they will be elected in general constituencies if they had the necessary intellectual and other qualifications. But for some period she wants some reservation of seats on the Council. She was very strongly of the opinion that they should contest in the elections first.

Mr. A. E. D'SILVA, M.L.C., representing the Anglo-Indian Community.

1. *The Chairman:* Mr. D'Silva, you represent the Anglo-Indian Association?—Not the Anglo-Indian Association, Sir, but the Anglo-Indian community.

2. Have you got any statement to make?—I have got a written statement which I would like to read to the Committee.

3. Is it a short statement?—Yes, Sir. Before I begin to read my statement I may state that the notice I got was very short, and I have not been able to consult the President of our Association, Lt.-Col. Sir Henry Gidney. So, the opinions I voice here are more or less personal.

(*The following written statement was then read by the witness.*)

"With regard to the extension of the franchise, my view is that it should be extended to all adult members of the Anglo-Indian community above the age of 21 regardless of sex. The community being 100 per cent. literate would be able to cast an intelligent vote, and being a small community, the electorate would not be unwieldy or unmanageable like the larger communities.

From the Census report of 1921 it would appear that the Anglo-Indian population of this province is shown as 3,200; adding 100 to this for Ranchi, which is not shown in the tabulated statement, you get 3,300, about the same as the English population which is shown as 3,369.

In addition to this we have a colony of 100 or so of Armenians principally engaged in the lac industry at Jhalda in the Manbhum district; and also a large number of domiciled Europeans in the province whose aims and objects and political outlook are identical with those of the Anglo-Indians. The community must be given a separate electorate as joint electorates even with a reservation of seats would not truly represent the community whose needs are quite different from those of the other communities of India. The community is a small one but is growing rapidly and must play an important part in the future of India. Its importance has to a large extent been misjudged, overlooked and overshadowed by the European community whose aims and objects are not practically the same as ours, however superficially they may appear to be so.

At the present moment we have only one nominated member to represent the interests of the Anglo-Indian community in the Legislative Council. This is absolutely inadequate to express its needs and its opinions in the legislature. What we need is at least three members, one for each of the

territorial divisions of the province, *i.e.*, one from Bihar, one from Chota Nagpur and one from Orissa. In the event of Orissa being separated I would suggest 2 from Bihar. The importance of the community may be gauged from the following facts:—As members of the Indian Defence Force where we preponderate in numbers and form the second line of defence we have on more than one occasion been of help to Government in times of stress and trouble.

Then we are also largely employed in what are called the security services such as railways, telegraphs, etc. In the Provincial Civil Service and the Police, having no communal bias, we are able to hold the scales evenly in times of necessity.

Our womenfolk are largely employed as nurses in the various hospitals, as teachers in European schools and even as shorthand typists and clerks in some of the offices.

This will give you an idea of the position of the Anglo-Indian Community in this province."

4. *The Chairman:* I understand you have one nominated member in the Council to-day?—Yes.

5. You have no statutory right to that. It is within the choice of the Governor?—Yes.

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6. At present you have no special constituency?—No. But I think we ought to have some in future.

7. Your community is scattered.—Very much so. Except in places like say, Patna, in large provincial towns, at Jamshedpur or in railway centres like Jamalpur, Cuttack, Gaya, etc., we are in small numbers all over the country.

8. How do you propose that they should be represented? Should they have a constituency?—We can have. Jamalpur will form a nice centre for the railway people. Ranchi and Patna may form a centre for other people.

9. You want separate electorates?—Yes.

10. How will they vote? Are there to be polling stations at various places? —You can have polling stations in larger places, or they can vote by means of the post as it is now done in the case of the European community.

11. If there are polling stations at Patna, Ranchi, Jamalpur and Jamshedpur and say at Cuttack, will that be sufficient?—It would be sufficient if you take all the main centres.

12. *Dr. Ambedkar:* Would you make a distinction in electoral qualifications between the Anglo-Indian community and the rest of the population? I think you said that there ought to be universal adult suffrage for the Anglo-Indian community?—For the Anglo-Indian community specially, because our needs are quite different.

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13. *Sir Muhammad Yakub:* Has any member of your community been ever elected in this province?—No, we have always had a nominated member.

14. Did any one stand for election?—They were never called on to stand.

15. What do you mean by "called on"?—It was always by nomination.

16. There is no bar to your standing for election?—I don't know. I believe that the associations do offer a candidate. I believe so, I can't tell you as a positive fact.

17. Do you think if any member of your community stood for election from the general electorate he would be elected?—No, I don't think so.

18. *Mr. Tambe:* Would you agree to include Indian Christians in your constituency?—No, because I don't think their objects and needs are the same as ours.

19. What is the difference?—Our needs are more or less the same as those of the Europeans.

20. Then, would you like to be joined with the Europeans in their constituency?—I don't think so, because we may get merged in that European constituency.

21. As you are a small community, don't you think it would be better if your community were joined either to the European or the Indian Christian community in order to make the number sufficient to form one constituency?—If we are to be joined, it should be with the Europeans. At the same time we would like to have seats reserved for Anglo-Indians so that we may be able to make our voice heard in the legislature.

22. *Mr. Chintamani:* If there were two chambers, would you be content with representation in the Upper Chamber alone?—Certainly we want representation in both the Lower Chamber and the Upper Chamber. There should be one representative at least, as we have at the present moment in the Assembly.

23. 3,300 is the total population.—That is what the census shows.

24. What is the adult population?—Possibly two-thirds would be adults.

25. Would you prefer to have a system of groups of 20 persons, each group electing one man to vote in the general election?—I doubt whether that would be feasible as our numbers are so small.

26. Supposing it was feasible, would you like that?—No. We have amongst us a large body of labourers who are working in offices and other places and therefore it would not be good if we are put in groups.

27. In other words, there is a variety of interests of your community?—Yes. Not only that. In the Legislative Councils our voice will not be heard. We want some sort of support.

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Memorandum submitted by the BIHAR LAND-HOLDERS' ASSOCIATION.

I

I.—PROVINCIAL LEGISLATURES.

1. THE EXTENSION OF THE FRANCHISE.

(*a*) Having given full consideration to the question of increasing existing franchise for the provincial legislature, it seems to us impossible to avoid the adoption of universal adult suffrage side by side with the system of indirect election. We do not favour a mixed system of direct and indirect election. This will give a much higher proportion than 25 per cent. of the total population as enfranchised, but in view of the irreconcilability of the 10 per cent. increase in the enfranchised population with the question of evolving a system which may provide an effective training ground for the people of this country in democratic methods of government, we recommend universal adult suffrage for persons above the age of 21 years.

As an alternative to universal adult suffrage, however, the question may also be considered of reducing the minimum property qualification to the minimum municipal or chowkidari tax of 5 annas or 6 annas which will enfranchise more than 10 per cent. The basis of our scheme of universal adult suffrage is indirect election with the village chowkidari as a unit for the

formation of electoral colleges. In urban areas it should not be difficult to apply the same principle to Municipal districts on a common population basis. This system has the advantage of being able to furnish a group system of electors, which will not only be more workable and less unwieldy than any other system, but will also provide an excellent training ground for the electorates of the future.

(*b*) We do not think that 10 per cent. increase in the enfranchised population will, of itself, produce an electorate capable of casting an intelligent vote because the mere increase in the number of electors will not mean an increase in voting efficiency.

(*c*) No. An increase of the electorate so as to enfranchise not less than 10 per cent., and not more than 25 per cent. of the total population regardless of the methods of election would make electorates not only administratively unwieldy, but would also prove very expensive. The number of polling stations, for instance, in Bihar, which is now 482 (405 rural and 77 urban), will be considerably increased with a proportionate increase in gazetted officers supervising the elections and this additional expenditure will not have proportionately beneficial results. Under the system of direct election, the very heavy expenditure on account of the preparation, maintenance and revision of the electoral roll is inevitable. Under the system of indirect election which we advocate, the chowkidari roll which is now maintained will furnish an electoral roll by itself. Direct election will on a basis of a 10 per cent. increase on the present 1 per cent. or so enfranchised out of the total population, increase the polling stations to 4,820. If separate arrangements are made for women voters, the number may well be doubled.

(*d*) We would propose universal adult suffrage with the village chowkidari as the unit and electoral colleges in rural and urban areas with group leaders of not less than 25 years of age. The qualification of the candidate for the Legislature should be retained as at present.

(*e*) In our case this question does not arise.

(*f*) We favour the formation of electoral colleges in rural villages for the rural population, the group leaders to elect members for the lower chamber of the provincial legislature. The same system may hold good in the case of urban areas as well.

(*g*) We are in favour of limiting election to candidates who are qualified to become group electors in a constituency.

(*h*) We do not favour the system of secondaries.

(*i*) In our case this question does not arise.

(*j*) This also does not require an answer, because we suggest, first of all, adult suffrage for persons above 21 years of age, secondly, electoral colleges on the population basis both in rural and urban areas, thirdly, group leaders of not less than 25 years of age, fourthly, the election of the representative for the Lower House of the Provincial Legislature, fifthly, the election of the representative for the Federal Lower Chamber by the same group representatives combining for the purpose. We have not referred to the necessity of a Second Chamber in Bihar because the questionnaire has not invited our opinion on the subject.

2. FRANCHISE QUALIFICATIONS.

(*a*) The only feasible way to rectify disparities in the operation of franchise qualifications in urban as compared with rural areas is by universal adult suffrage. The other alternative is reducing the minimum property qualification for electors.

(*b*) Under our scheme there will be no urgent necessity for communal representation as such, but, as a necessary evil, if communal electorates are

retained, there would be no alternative but to have special electoral colleges for special communal representation. There should be no difficulty in applying to these special electoral colleges the same rule in regard to numbers as in the ordinary colleges.

(*c*) Universal adult suffrage would do away with the existing property qualifications, but if it is not adopted and the suggested increase only in the enfranchised population is made, then the property qualification will reduce the risks of unintelligent representation. As a matter of principle, apart from any other considerations, it requires no elaborate argument to advance the claims to fitness for the franchise of those who hold a stake in the country.

(*d*) We are not in favour of instituting educational qualifications particularly in view of the conditions in rural areas and India generally.

(*e*) This question does not affect Bihar, and we do not find it necessary to introduce any military service qualification.

3. WOMEN'S SUFFRAGE.

(*a*) So far as rural areas in Bihar are concerned even women who possess the vote seldom go to the poll. However, if the number of women entitled to vote is increased, we would strongly suggest the introduction of literacy qualifications for them. Under the system of adult suffrage, this question does not arise, but as for giving votes to wives and widows of those entitled to vote under the property qualifications, it seems to us that this would be merely duplicating the vote of the husband and deprive others who have shares in the joint property.

(*b*) We are not in favour of forming separate groups for women, but we are willing to concede for them, in view of existing social customs, separate polling booths.

4. REPRESENTATION OF THE DEPRESSED CLASSES.

(*a*) We are of the opinion that, under adult suffrage, the so-called depressed classes will automatically gain political experience and effective representation. We are not in favour of special electorates for them nor do we favour the reservation of seats specifically for them. However, if it is thought absolutely necessary to secure increased representation for them in the Legislature we would suggest the adoption of the system of co-option of selected members representing the depressed classes by the provincial Legislature. In Bihar there is no problem of the so-called depressed classes. We regard people who may be so labelled elsewhere as inseparable units of Hindu Society, and we do not favour creating a gulf in the ranks of Hindu Society.

5. REPRESENTATION OF LABOUR.

Under our scheme there is no danger of labour not being able to secure adequate representation in the provincial Legislatures. They, in common with others, are entitled to exercise the privilege of the vote. The question, however, arises whether it is not advisable in the case of labour in industrial areas, to provide them with a qualification for vote, such as occupancy of a house. Because, in many instances, labour in industrial areas is drawn from the villages, the question, which should be seriously taken into account is whether such labour should have the right to vote in villages, where they have their homes, or in areas where the collieries or factories are situated where they work.

There is no danger of agricultural labour going unrepresented even if the minimum property qualification is adopted for the purpose of deciding the right to vote.

Memorandum by the BIHAR LAND-HOLDERS' ASSOCIATION. [*Continued.*

II.—FEDERAL LEGISLATURE.

6. ALLOCATION OF SEATS TO BRITISH INDIAN PROVINCES.

(*a*) We are not prepared to accept the suggestion of the election of representatives for the Upper Chamber by the Provincial legislature by means of a single transferable vote. Such representatives should be elected either by the Provincial Upper Chamber, or the franchise qualifications should be so regulated as to provide for property qualifications commensurate with the dignity of the revisionary Upper Chamber of the Federal Legislature, and qualifications should also be demanded as may admit men of undoubted abilities and marked talents, *e.g.*, men who have held high administrative and judicial appointments. To make the revisionary aspect of the Federal Upper Chamber effective we think that seats should definitely and permanently be assigned to title-holders of unquestioned pre-eminence as in England.

(*b*) In regard to the Lower Chamber of the Federal Legislature we are of the opinion that direct election is practically impossible. We are in favour of election through the electoral colleges organised under our scheme of adult suffrage.

7. REPRESENTATION OF WOMEN, LABOUR AND DEPRESSED CLASSES.

We have no further remarks to offer in this connection.

8. GENERAL.

So far as the existing franchise system is concerned, landholders have found that they have not received due representation. In Bihar, particularly, it is in the highest degree desirable that when the basis of franchise is about to be widened, adequate representation should be secured for landholders in order to enable them to pull their weight in the working of the new Constitution. We strongly feel that landholders should not only be given more seats in the Lower Provincial Chamber than they have been given in the past, but also that there should be a Second Chamber in the province as well, where landholders could obtain effective representation.

We desire to lay particular stress upon the fact that our scheme of universal adult suffrage, outlined above, is regarded by us as an inseparable whole, and that it would be an extremely dangerous experiment to divorce any one feature of it from the other. Our aim in advocating the system we have suggested is to ensure the progress of the people in the art of self-government involving as it does elections and polling booths, an art which is entirely novel to them.

II

We are in favour of retaining special representation of separate interests, such as, University, Commerce, landholders, etc., but not on racial or communal basis. The present methods of election are on the whole satisfactory. Of course, there may be consequential changes in lowering the franchise qualification, and enlarging the electorates as a result of an increase in numbers in Legislatures.

We are further of the opinion that as far as landholders are concerned, as representing the predominantly special interests of India as a whole, and of Bihar in particular, should not only be given special representation as at present, but should also, have representation adequate for the maintenance of their great responsibilities.

In regard to 2 (*b*) of the amended questionnaire, with which we are concerned, we find that, in view of the contradictory elements of democratic

Memorandum by the BIHAR LAND-HOLDERS' ASSOCIATION. [*Concluded.*

and communal representation envisaged, we are unable to present any cut-and-dried scheme as a solution, but on principle, joint electorates with reservation of seats are preferable to separate electorates. The problem, however, is how to make the reservation of seats effective. So far as we can see the only satisfactory way out of the difficulty is to provide for voluntary agreement between communities concerned in different localities strictly in accordance with the numerical strength of the communities seeking reservation of seats in each locality.

In regard to 3 (*c*), we have no objection to the adoption of co-option of women members by the Legislature.

Raja Bahadur HARIHAR PRASAD NARAYAN SINGH, M.L.C.
Babu VISHUNDEO NARAYAN SINGH, M.L.C.
} **Representing Bihar Land-holders' Association.**

1. *The Chairman:* You represent the landholders' association?—Yes.

2. Will you tell us what the membership of your association is?—It would be about three hundred.

3. What is the qualification for membership?—Any person who holds land and who is proposed, seconded and elected by a majority can become a member.

4. Are there a large number of landholders in this presidency?—If you include the smallest landholder also, their number would come to about a lakh including males and females.

5. I see that your association recommends universal adult suffrage with the system of indirect election?—Yes.

6. That means it is proposed to deprive of their votes all the people who are now qualified to have a direct vote for the legislature?—Yes, they would not be direct voters, no doubt.

7. They may be elected as secondary electors, otherwise they would be deprived of their franchise?—Yes.

8. You say that you do not think that the attempt to increase the electorate would produce an electorate capable of casting an intelligent vote?—Yes, that is our opinion.

9. Why do you think that the people elected by the indirect system will produce a more intelligent electorate than the present one?—Our idea is that we should get the primary groups in the villages to select as their representatives persons of the village in whom they have confidence. In this way the best men will come forward. Then, according to our scheme, there will be a secondary group which would not be a very big one. If a person comes in, selected in this way, we think he will be very capable and able to cast an intelligent vote.

10. You think that people paying the chaukidari tax will be more intelligent than the people qualified by property?—The thing is that we are only giving an abstract sort of qualification, saying that a man who pays so much tax is qualified for the vote. Here we get a man who is capable of securing the confidence of the entire group of that unit. He must, as such, be a comparatively more intelligent and qualified man; otherwise he cannot have the confidence of the majority of that group. So, comparatively speaking, this person would be more capable than a man with mere property qualification.

11. How many electors, do you anticipate, this indirect system will produce?—There are 66,000 chaukidari circles. Perhaps the same number will be on the electoral roll.

11th Feb. 1932.] Raja Bahadur HARIHAR PRASAD NARAYAN SINGH, Babu VISHUNDEO NARAYAN SINGH. [*Continued.*

12. 66,000 electors returning all the members?—Yes.

13. And the number of members proposed is 200?—Somewhere near that number.

14. What will be the number of electors for each member of the council?—It will be small.

15. Only about 330?—Yes, it would be a very small number.

16. Can you tell me how many landholders there are in the present Council?—Various circumstances have influenced the return of landholders. They have not all been returned to the Council for being landholders merely. I do not remember the exact number of landholders in the present Council. We made an analysis of the number in the Council and we found that the number of landholders was decreasing. At the time when our Swarajist group was formed in 1926, the landholders came in more on the Swarajist ticket than otherwise. Considering these factors we are thinking that our number in the council is likely to dwindle fast, and especially in view of the extension of the franchise proposed, we fear that the return of a landholder to the legislative council may become utterly impossible.

17. So, you think that if the existing franchise is lowered, the council would contain even less representatives of the landholders?—We fear there may not be any representative at all.

18. Do you think that with the indirect system you are proposing with adult suffrage, the landholder would get better representation?—I do not suggest that system on that consideration. As a matter of fact, you might have noticed that we have insisted on having special representation for us. If we thought that under the system we have suggested we would get adequate representation, we need not have emphasised the need for special representation for us. Therefore, the reason for our suggesting the indirect system with adult suffrage is plain and that is, we want the people of the villages in the council. Supposing we have democratic form of government as our goal, our idea is that we must prepare the masses in the rural areas in the art of governing themselves. For this purpose if we hold the primary elections within the villages and give the villagers scope to determine their own representatives from among themselves, they will do so intelligently. On the other hand, if we ask the masses to elect a person probably from outside their circle, as they are not well educated at the moment, they may not make a proper choice. Therefore, it is to enable the villagers to get trained in the art of self-government that we are suggesting this indirect system. Villagers are good business men and have got a sound sense of judgment and therefore they can be expected under the system I have suggested to select very good men. In the secondary group, the number being small the expenses would be small in proportion. Economy is also a very important thing. The preparation of the electoral rolls and the printing of them and so on cost a good deal. Even now when the number on the electoral roll is only about 1 per cent. of the population our election expenses come to nearly a lakh of rupees. On that calculation, if we increase the number to 10 per cent. the cost will be enormously increased. The electorate will be very unwieldy and it would be impracticable to make arrangements for polling. Having regard to all these considerations and with a view to give representation to classes and communities like the agricultural labourers, the depressed classes and so on, we have suggested this system. We think our system would give representation to all of them and would reflect their views. We have not suggested this system in order to give the landholders greater representation.

19. You require some special representation for the landholders?—Yes.

20. Even if the indirect system would give you representation, do the landholders still require special representation?—That is our view.

11th Feb. 1932.] Raja Bahadur HARIHAR PRASAD NARAYAN SINGH, Babu VISHUNDEO NARAYAN SINGH. [*Continued.*

21. Have you thought how you would actually conduct elections in chaukidari areas?—One chaukidari area may be taken as a unit. We have got a register there. It will form the electoral roll. The elections should not be held in all the units simultaneously. There should be some sort of permanent staff going from village to village for conducting the elections. The secondary groups will vote in the sub-divisions and then there would be very little expense.

22. Do you recognise that if we take the chaukidari list as the basis, it will by no means mean universal suffrage?—If it is universal adult suffrage, perhaps there will be a small additional number.

23. I think the addition would be a pretty large one?—Yes. If the franchise is not lowered the poorer elements will not be represented. In view of that universal adult franchise is desirable.

24. What about the method of election? Is there to be polling or is it your idea that a public meeting might be held by a district officer for electing a candidate informally?—Any system would be practicable in a small unit like that. I have not worked that out.

25. *Sir John Kerr:* How many landholders' constituencies are there now?—We have got one for each of the five divisions.

26. What is the qualification for a vote in the landholder's constituency?—I think it is Rs. 1,000 cess or about Rs. 4,000 land revenue.

27. How many seats do you ask for the landholders?—We desire to have one for each of the 21 districts.

28. You are multiplying the existing number of seats allotted to you by four?—Yes.

29. Although the council will only be about double its present size?—Yes. We would naturally get 10 seats, but we are claiming double that number.

30. What is your justification for this demand?—Our stake in the country is very large. Our responsibility in the rural areas is very large; and commensurate with that we are asking for an increase in our strength in the council. Again, as I mentioned, we have the fear that in future we cannot expect to get any representation in the general constituencies. For these reasons we think that our seats in the council should be considerably increased.

31. You propose to maintain the existing qualifications?—No; they must be lowered.

32. To what extent must they be lowered?—I should think we can come down to about one-fourth of the existing qualification or Rs. 250 cess.

33. I see that at present your number comes to 368?—Yes. If you lower the qualification to one-fourth of what it is now, certainly it will swell the number.

34. How many more people will become entitled to the vote if you lower the qualification?—We have not worked out the details; the number will be possibly ten times more.

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35. *Mr. Butler:* Don't you think that a mixed system of direct and indirect election will be a practical proposition and will work well?—We think that it will perpetuate a sort of class cleavage. And then, there is also the administrative difficulty involved in the working of the direct system. No good purpose will be served by adding another system. Neither system will have a fair chance of developing because one will be conflicting with the other. There will be strong cleavage between the two systems.

36. You have mentioned that there will be conflict between town and country. If the rural population is sufficiently enfranchised, do you think

11th Feb. 1932.] Raja Bahadur HARIHAR PRASAD NARAYAN SINGH, Babu VISHUNDEO NARAYAN SINGH. [*Continued.*

it will be necessary to give some weightage to the towns?—I do not think it is necessary.

37. Do you think it will work out well?—Yes.

38. Have you any figures to show that?—It will be on the population basis generally that this system will be worked, and so if the same grouping is kept up in both the places, it is inevitable that according to their numerical strength, they will return secondaries and there would not be much disparity in the representation of both classes.

39. *Dr. Ambedkar:* Is it your view that the landlords are getting smaller representation in your Council?—That is my view.

40. I get this information from the memorandum—that you are getting so large a representation that in 1926 the Government said that there were few representatives for the tenants and they nominated some of them as members; is it not so?—If we take the three consecutive elections we find that comparatively the strength of the landholder element in the Council is coming down. Moreover, some of those members in 1926 were merely labelled as landlords in the report. In fact they were not returned as landlords, but were returned because they embraced some political creed.

41. How was the voting on tenancy legislation?—I do not think that it was at all in favour of landlords.

42. Assuming that it was, how would the members vote?—They will vote with the landlords, I think.

43. *Lord Dufferin:* Supposing in the second chamber landlords are represented, would you still insist on special representation for them in the lower chamber?—In that case too we would like to be in the lower chamber by means of special representation.

44. You still want to be specially represented in the lower chamber? May I know why?—Because we should have in the lower chamber also sufficient number to influence the decisions of that House. As for the second chamber our idea is not that it should be a landholders' chamber entirely but a chamber of elders, landlords being a part of them.

45. Would you say that there is a wider cleavage of interest between the landholder and tenant than between the rural and urban interests?—Urban and rural interests may be different, no doubt. But the landlords' interest and tenants' interest come generally within the same ambit of landed interest everywhere in the rural areas. Of course, there will be a clash between urban and rural interests because both are different units altogether. But these landlords and tenants are part and parcel of the same landed interest, and so their common interests are more constant and greater.

46. *Mr. Chintamani:* Does your association consist of all classes of landholders or only of the big landholders?—No, not entirely of big landholders. We have got a good many small landholders. In fact there are very few big landholders in it.

47. Is there any condition of membership that, say, a landholder paying so much of land revenue, would be eligible?—No. The qualification is the payment of a certain fee—I think it is Rs. 50 a year—to the association, and then members must be elected.

48. Is it a fact that legislation to benefit tenants had to be abandoned by Government because the large number of landholders in the Council would not support the Government?—I do not think so.

49. A statement has been made that owing to the landlords' attitude on legislation intended to benefit tenants and the predominance of landlords

in the Council, that attempt had to be abandoned and the tenants had to go without the contemplated benefit. Is it a fact?—I do not know whether I can go into details. But there is one point on which opinion was sharply divided: I mean the opinion not only of the small landlords and big landlords but even of politicians and administrators. This was in that section relating to pre-emption. In fact the whole deadlock was brought about on that point but not owing to the cleavage between landlords and tenants.

50. In your statement you say that in the group system of voting the villagers would not be subjected to any external influence either of landlords or anybody else. Do you mean to say that the landlords would not try to exert any influence or that they have no influence?—I do not say that they would not be subjected to any influence at all. But I say that external influences would be minimised, whether the influence be that of the landlord or politicians. If one human being comes into contact with another human being the one is bound to exercise some amount of influence on the other, and nothing can stop it altogether. But if you give them a chance, common sense and the business view will have greater play than they have to-day, and extraneous influences would be minimised. I do not say that any influence would be absolutely absent.

51. Do the bulk of the tenants here possess ooccupancy rights?—Yes.

52. And they are not subject to landlords' influence?

The Chairman: We are trying to confine our questions to three. I hope you will bear that in mind.

53. *Mr. Chintamani:* Do you think that landlords are the only people who have a stake in the country and no one else?—In this province they are the largest stake-holders. Of course, they are not the only stake-holders.

54. *Mr. Miller:* Is it not a fact that every year strong representations have been made to Government to abolish the chaukidari tax?—I do not think strong representations were made.

55. *Mr. Tambe:* If you get special representation, then you would not like to take part in the general elections?—As one of the people, I do not see why we should have no connection with that.

56. You said there were about a lakh of landlords here, did you not?—That is not on any thorough investigation made by us. We gathered it from Government records.

57. Would you like to introduce the group system?—If the electorate is large enough, I do not mind it.

58. Your special electorate would consist of those one lakh of landlords you mentioned electing members indirectly?—We would like primarily those people in the special electorate who are likely to voice the special interests, whose interest in land is something real and earnest. Then from that we want to form groups. In that case we would not dislike the group system.

59. *Khan Bahadur Aziz-ul-Huque:* In view of the fact that your cess qualification as well as revenue qualification is very high, would you mind if this Committee recommends that there be special representation and that every landlord paying ten rupees revenue and Rs. 5 cess should be eligible to be a voter?—That is why I said that they should have some tangible interest.

60. Would you support the proposal that everybody who pays Rs. 10 revenue or Rs. 5 cess should be a voter?—Yes, provided there are no other interests predominating. I am only saying that the elector should have some regard for that special interest. However small a landholder may be, so long as there are no other interests predominating, I have no objec-

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tion. It is a matter for investigation as to how many would come in as voters. I have also given a definite figure as the qualification,—that is the payment of Rs. 200 cess, that is, one-fourth of the present cess.

61. Supposing there is only one electorate for the whole province, say an electorate of 3,000 or 5,000, does it not actually mean that one who has enough money will have the pull over one who has not enough money?—There may be two points of view on that. Some may say that in a select constituency if a man comes in as a candidate, there is less chance of corruption. Others may say that the larger the electorate the less the chance of corruption. As a matter of fact we have seen that where small numbers of electors are in existence for special interests and select men with advanced education or status stand corruption is least apparent there.

62. Is there not a greater likelihood of divergence of interests between the landlords and tenants in the legislature if there are special electorates?—The divergence is there.

63. You seem to be under the impression that as time goes on, there will be greater divergence, are you not?—I say if the franchise is enlarged, other interests than those of landlords will have the predominance in voting, and naturally we would not be looked after. The number of landlords is one lakh, but the number of tenants is one crore.

64. Is it not a fact that this divergence between landlords and tenants of late years is due to the fact that landlords are mostly absentee landlords and do not care for their tenants?—No. I do not think that is so in Bihar. You are perhaps speaking of Bengal.

65. *Major Milner:* You want every section of the community except the landlords to fight amongst themselves; but the landlords should have an opportunity to stand as candidates in general constituencies and also have special constituencies for themselves. Is it not so?—I am not much in favour of communal or caste separation. But I am for giving special representation to special interests, whether that special interest be landlords or commerce or trade or anything else.

66. Don't you consider that a man who has his wife, his family, his livelihood, his health to care for has just as great an interest in the government of the country as the man who has land?—I do not say that they have not got such an interest. I do not say that they should be neglected. In enlarging the franchise I am for giving them a chance. But what I say is that special interests must have special representation, because they are numerically less and unless and until they are given special representation they will have no chance of coming in at all.

67. So you want a range of franchise whereby you would have a representation which you would not otherwise get,—representation which, if everybody was alike, you would not get. Is that not so?—No, Sir. Only because ours is a special interest, I want special representation.

68. I understand that your approval of the group system is conditioned by its being confined to those paying the chaukidari tax. Would you approve it equally if the indirect system was extended to adults rather than merely restricting it to those who pay the tax?—I thought that adult suffrage would meet with many other kinds of objection. But if in any way it was practicable, I would say that as an alternative special electorate was another point which should be considered.

69. Would you equally approve of it if the suffrage was extended to all adults and was not merely restricted to particular people?—Yes, generally.

70. *Diwan Bahadur Ramaswami Mudaliyar:* On the basis of adult suffrage for primary elections, if instead of the chaukidari village being taken as the unit and one person returned for that village, suppose you divide it into groups of 20 adults and a million secondary electors were

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returned on the whole, would you have any objection to that proposal?—Then the difficulties I am seeking to eliminate would come in, difficulties on the ground of unwieldiness, costliness, etc.

71. May I therefore take it that your advocacy of adult suffrage for direct and indirect elections is conditioned on the group being one chaukidari village and the returned person being one secondary elector?—I do not limit it to one. It may be two. The only thing is that it must be workable. It must not be very expensive; it must not be very unwieldy. We must consider the economic condition of the villages, how many first class men will be available. On these considerations we will have to limit the number of secondaries. I do not say that the secondary must be only one and no more. But the only thing is the system must not be unwieldy.

72. *Major Milner:* You said that your association contains 300 members.—Above 300.

73. Is it a registered body?—It is a registered body, I think.

74. *Sir Zulfiqar Ali Khan:* In your big estates is the succession regulated by the law of primogeniture?—Not in all.

75. In certain estates?—Very few.

76. Could you tell me whether your big landholders would like the seats to be hereditary in the Council or the Upper Chamber?—They might be given that privilege.

77. That is to say, some might have hereditary seats?—Might.

78. Others who are lower down the scale may stand for election in the general constituencies?—Yes.

79. If you want reservation of seats and at the same time fight in the general elections that will give you overwhelming representation.—It cannot be.

80. Still you will have more than your reserved seats.—May be. If some landholder has proved himself a worthy representative of the masses he may come in. There is no barrier against that.

81. Could you tell us how many Muslim members you have got in your association?—I think we have got quite a good number. They are very influential representatives.

82. If your association was well-organized, would you like it to be made a big constituency? For example, you want 21 seats. Would you like those seats to be filled by your association?—There would be no harm in doing that.

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Memorandum submitted by the CHOTA NAGPUR IMPROVEMENT SOCIETY, Ranchi.

I

The Chota Nagpur Improvement Society recommends the following rules to be adopted for the *Adibasis* areas:—

I. All adult members of the Bhuinhari and Mundari-Khuntkatti families should have the right to vote.

II. All raiyats paying a rent of Rs. 5 and for *Adibasis* Rs. 2-8 a year or a cess of annas 2 should have the power to vote.

III. All adult persons with the minimum educational qualifications of lower primary certificate should be entitled to vote.

Memorandum by the CHOTA NAGPUR IMPROVEMENT SOCIETY, Ranchi [*Continued.*

IV. In the case of women, besides those who themselves have the above qualifications any adult female whose guardian possesses any of the abovementioned qualifications should be entitled to the right of Franchise.

With regard to the electorate the society is in favour of joint electorate with reservation of sufficient number of seats for the *Adibasis* in proportion to their population, with weightage in consideration of the importance of the *Adibasis* in the province. The society also urges that the *Adibasis* be given further right of contesting seats in the general electorate.

The Chota Nagpur Improvement Society is of opinion that if the above Franchise rules are introduced in the *Adibasis* areas, the electoral roll will consist of 10 per cent. of the population in the area as recommended by the Round Table Conference and that the goal of adult suffrage should be consistently kept in view.

II

The Chota Nagpur Improvement Society suggests the following means for the extension of the Franchise for the Provincial Legislature as well as Federal Legislature to include 10 per cent. of the population in the electoral roll :—

1. The property qualification of the present Franchise may be reduced to Rs. 2-8-0 rental for the aboriginals and Rs. 5 for the non-aboriginals. One of the many reasons for the distinction between aboriginal and non-aboriginal is that the aboriginal raiyat generally possesses larger proportion of land for the same amount of rent than the non-aboriginals.

2. All adult members of the Bhuinhari and Mundari-Khuntkatti families should have the right to vote. They are the descendants of the original founders of their villages and as such have to pay a nominal rent. Having regard to their former position as owners of villages and are universally recognised as having a higher status than the ordinary raiyats of Chota Nagpur and in the case of Bhuinhars their tenancies are classed as "tenures" and in the case of Mundari-Khuntkattidars neither as tenures nor as raiyati holdings but as a class of privileged tenancies by themselves. The holdings of Bhuinhars as well as those of Mundari-Khuntkattidars are cultivating tenancies, and in case of both kinds of tenancies the Bhuinhars and Mundari-Khuntkattidars are regarded as joint owners of the village lands and so they are entered in one joint Khewat and they all jointly pay a nominal and fixed rent and therefore according to the present rule of franchise they are all disqualified to vote. This Society approached the local Government on this matter several times and the Government recognised this grievance as real but the matter was not pressed further in view of the impending Statutory Commission which might make changes in the electoral rule and the Government assured us that the matter was in no danger of being lost sight of.

3. All adult persons male and female with the minimum educational qualification of lower primary certificate should be entitled the right of vote. The educational qualification has been recommended even by the Statutory Commission but they mentioned the attainment of class V and the attainment of the age of 21. But the Chota Nagpur Improvement Society is of opinion that class V will be too high for aboriginals and therefore recommends Lower Primary certificate as the minimum requirement for educational qualification.

4. The society agrees with the recommendation of the Statutory Commission that the wives of men with the property qualification should be also

enfranchised and also their widows. The society also goes further and is of opinion that any adult female whose guardian possesses either the property or the educational qualification should be given the power to vote.

5. The society agrees with the Franchise sub-committee of the Round Table Conference that the age limit should be 21 for men as well as women.

6. The Chota Nagpur Improvement Society emphatically protests against the suggestion of indirect election for the rural areas one ground against such election is that it would afford greater scope of undue influence and corruption.

7. The Chota Nagpur Improvement Society begs to submit that the aborigines are not among the *depressed class* and as such the questionnaires does not deal at all with the aboriginal question and so the society as the mouthpiece of the aboriginal people submits on behalf of the aborigines of the Province with regard to the electorate.

The society is in favour of joint electorates with reservation of sufficient number of seats for the aborigines in proportion to their population with weightage in consideration of the importance of the aborigines of the Province. The society also urges that the aborigines be given the further right of contesting seats in the general electorate.

8. *The Federal Legislature.*—The election for Federal Legislatures should be direct and not through the Provincial legislatures. The Franchise qualification for the aborigines should be identically the same for the Federal legislature as in the Provincial legislature. The society is of opinion that in no case should any form of indirect election be introduced either for the Provincial or for the Federal legislature.

Revd. JOEL LAKRA
Mr. SANGRAM HEMBROME, M.L.C.
Mr. GARBETT CAPTAIN MANKI, M.L.C. } **Representing the Aborigines.**

1. *The Chairman:* In what capacity are you here to-day?—(*Revd. Joel Lakra*): I am the President of the Chota Nagpur Improvement Society and in that capacity I represent the aboriginal people of Chota Nagpur and Santal Parganas.

2. Is that true of the other two witnesses also?—Yes. * * * *

3. How far is literacy spread amongst you?—Literacy is not very much spread. But they are a sensible people. I believe reading and writing alone does not make the people sensible. It is common sense that matters.

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4. I understand that the total population of aboriginals in the province is about 2,400,000. Is that correct?—I think it is fairly correct.

5. And there are large numbers in five or six districts.—Yes.

6. How many reserved seats would you demand out of 200?—Out of 200 we would like to have at least 14.

7. Though your population is only two and a half millions out of 36 millions?—I have got good reasons for that. Our actual experience shows that in the Bihar and Orissa Council our interests have been ignored. We want this representation so that our rights may be preserved and our interests may be given more prominence and our education may be looked after.

8. How many representatives have the aboriginal people actually got in the Council to-day?—We have got 2 elected and 2 nominated members.

11th Feb. 1932.] Revd. JOEL LAKRA, Messrs. SANGRAM HEMBROME and GARBETT CAPTAIN MANKI. [*Continued.*

9. *Sir John Kerr:* Have you given any statement?—We have sent one* from the Chota Nagpur Improvement Society.

10. When you say you do not want any system of indirect election, do you mean that you disapprove of the system here outlined which gives direct election to the Village Council and then election by the Village Council to the Union Council and from the Union Council to the Sub-divisional Council and so on. Is that the system you disapprove of?—I disapprove of that.

11. You want to have direct election to the Legislative Council?—Yes.

12. Both for the Federal as well as the Provincial?—Yes.

13. *Dr. Ambedkar:* There are altogether 9 constituencies in which the aboriginal people are found. Is that not so?—At least 9, if not more. I can't say exactly.

14. In almost all of these representation has gone to other than aboriginal people.—Except in 2.

15. How much representation have you got in the District Boards in these 9 constituencies where the aboriginal population is concentrated?—At Ranchi and Singhbhum where the aboriginals are more we predominate in the district board.

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The Chairman: I fear there is a slight mistake in the statement that I made. I said that the aboriginal population was 2½ millions. I see from the census of 1931 that the total aboriginal population of Bihar and Orissa was 7,100,000.

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16. *Major Milner:* Why is it that you do not think that your people would receive some representation in the general constituencies?—It is based on our experience in Palamau. There are aboriginals and non-aboriginals there. As we are materially less advanced than the others and as they are to be found in every walk of life, by means of their propaganda we are always defeated.

17. Would not the position be altered if you have multi-member constituencies?—I do not know if that will give us the desired representation. Our members may get defeated.

18. Think it over and, if the Chairman is agreeable, let us know if you think you will get some representation by that arrangement?—That will give us *some* representation, but not as much as we think will protect our rights.

19. I gather that you have some objection to the indirect system of voting. Would you be willing to give that a trial?—No. I do not think that it will work satisfactorily. It will always fail in Chota Nagpur.

20. If you are convinced that for administrative reasons it is impossible to have direct elections and let everybody have the vote, would you recognise that and make a trial with the system?—If there is no alternative, we would fall in line and make an effort; but that would be under compulsion.

21. *Diwan Bahadur Ramaswami Mudaliyar:* Under the present system, the franchise qualifications for the legislative council elections are very high and I take it therefore that the number of voters from the aboriginal classes is very small?—Yes, the reason being that the *Khutikatidars* have been left out.

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22. If the franchise is lowered very considerably, then there would be a larger number of voters from the aboriginals, and don't you think that the chances of your own men being returned from the general constituencies will be proportionately increased?—It very much depends on propaganda. If our own people do not have money enough for propaganda, then even the increased number of voters would not satisfy our needs.

23. Can you explain how in the district of Ranchi you were able to secure a majority?—In Ranchi we have solidly organised ourselves and that accounts for our majority.

24. That means that organization is one of the essential features of any democratic system?—Of course it is.

25. You said that you do not belong to the depressed classes?—No.

26. You do not belong to the untouchable class?—No.

27. Do you belong to the Hindu community?—We do not style ourselves as Hindus. When we say we are Hindus, we have to take the religion of the Hindus. We have not taken their religion. We are only Hindus in the sense that we are Indians, but not in the sense of religion.

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28. *Rai Bahadur Sarat Chandra Roy:* You want 20 per cent. representation on the basis of your population?—Yes.

29. Is it not a fact that you feel that your interests are not sufficiently protected on account of inadequate representation in the council?—Exactly so.

30. If the powers which the Government now possess to protect your rights, etc., are taken away, then you will be in danger of losing the special rights which you possess unless you are sufficiently represented in the council?—Yes.

31. Is it not your case that because you feel that your special rights cannot be sufficiently protected unless you get sufficient number of representatives in council you want at least 20 per cent. representation to be given to you?—That is our position.

32. Are you sure that 20 per cent. will be sufficient to protect your rights and you do not want weightage?—We are asking for 20 per cent. representation in the belief that it will ensure our rights.

33. Do you want any weightage over and above 20 per cent.?—We will be very glad and we will like to have it.

34. You say that you want direct representation. If adult franchise cannot be granted for administrative reasons, do you want indirect franchise to be given to those who are left out of direct franchise?—We would like to have it if that is possible.

35. *Mr. Owen :* If a system which prevails all over India for the election of members to the legislative councils is extended to the villages and the aboriginals, both male and female, are given franchise, would you object?—We would object to that, and if we have to accept it we would do so under protest.

36. *Rev. Brajananda Das:* What sort of constituencies would you have, territorial constituencies or constituencies by groups?—So long as we get the representation that we want, we do not care whether it is given to us on a territorial basis or on a percentage basis.

37. What would be the most suitable constituency for you?—We are indifferent about it. We want the representation that we claim.

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11th Feb. 1932.] Revd. JOEL LAKRA, Messrs. SANGRAM HEMBROME and GARBETT CAPTAIN MANKI. [*Concluded.*

38. *Mr. Middleton:* If adult suffrage is given would not your aboriginal population return members? I think I am right in saying that women aboriginals would go to the polls much more easily than the Hindus?—We can be sure of that in some districts such as Ranchi.

39. Is it not a fact that in the last elections, whole villages went to the polls and voted solidly for the headman of their village?—That was the case in Rajmahal and other places.

40. There village organization is good?—Yes, in those two or three districts. But if you take Makum, for example, there are a good number of aboriginal people who are not at all organised.

Memorandum submitted by Mr. MUHAMMAD HOSSAIN JAN, M.L.C., Bankipur, and by the BIHAR PROVINCIAL MUSLIM LEAGUE.

Introductory.

I am in favour of adult suffrage. I mean enfranchisement of all males aged 21 years or more.

This would in effect mean enfranchisement, I think, of some 30 or 40 per cent. of the male population.

The introduction of such adult suffrage would to some extent solve the communal question also.

I do not consider its introduction impracticable. For the purpose of preparing electoral rolls the Panchayat system established under the Village Choukidari Act may be utilised and wherever it does not exist, that system should be introduced and utilised for the purpose. As a matter of fact the present electoral rolls in the rural areas are prepared by the Village Punches and approved or corrected by the Deputy Collector in charge of the Choukidari Department. If this existing system is utilised, cost of preparation will be almost *nil*, and the rolls prepared by them will be as good as the present ones.

At present, speaking generally, the jurisdiction of a thana constitutes one polling area.

For the purpose of the choukidari tax, a thana is sub-divided into five beats, each beat comprising some 20 villages and each beat is controlled by one Panchayat. In the Tirhut Division a Panchayat consists of about 5 members. The same is possibly the case in other places too, may be, with some modification.

In some places the President of the beat exercises some of the functions under the Criminal Procedure Code and in some others the Panchayat as a whole disposes of even petty civil litigation.

This existing organization may be entrusted with the work of preparing electoral rolls, subject to the supervision and control of the Chaukidari Deputy Collector.

The territory comprised in each beat may be constituted one polling area. If this is done, the number of polling areas will no doubt increase fivefold. It will not however be difficult to get as many polling officers. All Honorary Magistrates, Munsiffs, Sub-Judges, Excise Officers, Income-Tax Officers and other officers of some position and public men of undoubted respectability and position, may be employed for the purpose. Moreover, polling need not be held on the same day: different days in quick succession may be fixed for different areas in each district.

Memorandum by Mr. MUHAMMAD HOSSAIN JAN and the BIHAR PROVINCIAL MUSLIM LEAGUE. [*Continued.*

Answers to Questions.

1. EXTENSION OF THE FRANCHISE.

(*a*) If adult sueffrage be not introduced, then I would suggest extension of franchise to such persons as pay any amount of any tax or rent or revenue or cess. This would include persons who pay chaukidari tax in rural areas. Such persons have no vote at present by reason of such payment; a number of them do however pay rent or revenue and thus become entitled to vote, for chaukidari tax is levied on the quantity of land that they possess.

This would, I suppose, have the effect of enfranchising 10 per cent. of the adult male population. I would not care if this system brings in more voters, even up to 25 per cent.

(*b*) I do consider that such an electorate will be capable of casting a vote as intelligently as at present: there will not be much difference in their mental equipment.

(*c*) I do consider that such an electorate would be administratively manageable. The same means may be adopted as proposed in the case of adult suffrage.

(*d*) I do consider that it would be practicable and desirable to enlarge the electoral roll still further. As for the means, I would suggest adult suffrage of the kind above referred to.

(*f*) I would not favour group-voting suggested in this question. Such a system is feasible but I do not consider it to be advantageous in the areas with which I am acquainted, that is to say, in the districts of Darbhanga and Muzaffarpur particularly.

(*g*) I express no opinion on this question at present.

2. FRANCHISE QUALIFICATIONS.

(*a*) There is marked disparity in the voting qualifications in the rural and urban areas. But the distinction does not result in any marked disparity in the nature or status of the voters from the two areas; all of them generally possess the same amount of intelligence.

(*b*) I am in favour of retaining separate communal electorates and of the suggestion that each community should be given a voting strength proportionate to its numbers and that the franchise system should be so contrived as to secure this result.

(*c*) In my opinion, possession of property of some kind is a suitable test of fitness for the franchise, if adult suffrage is not introduced. I do consider the existing property qualifications suitable in principle but would recommend the lowering of that qualification on the line suggested above.

(*d*) I am not in favour of introducing a qualification based on education independently of property. The educational qualification would, I suppose, be mere literacy: it would be impracticable to lay down any higher qualification. And mere literacy, particularly, in Hindi, would mean very little.

(*e*) The military service qualification would not be necessary if adult suffrage is introduced. I am not in favour of retaining that qualification.

3. WOMEN'S SUFFRAGE.

I would not favour any considerable extension of female suffrage. To enfranchise wives and widows of men entitled to vote under the property qualification, would be a purely arbitrary method of enfranchisement: in their case also property qualification should be insisted on and the existing property qualification should be retained. The enfranchise women largely means as much revolutionising domestic conditions in India. The change is a novel one and must be gradual.

Memorandum by Mr. MUHAMMAD HOSSAIN JAN and the BIHAR PROVINCIAL MUSLIM LEAGUE. [*Concluded.*

Men and women should not vote together. Separate arrangements should be made for recording their votes.

I would not favour group-voting in their case also.

4. REPRESENTATION OF THE DEPRESSED CLASSES.

I do not consider that the depressed classes are likely, through such general extension of the franchise as I favour, to secure representatives of their own choice in the general electorates: they should be given separate electorate. Group-voting in their case would be less objectionable.

5. REPRESENTATION OF LABOUR.

Representation of labour as a separate class is not necessary or desirable. Adult male suffrage will bring in all of them and even property or tax qualification will give votes to a considerable number of them, for many of them have to pay some sort of tax of some amount.

II.—THE FEDERAL LEGISLATURE.

6. (*a*) I express no opinion on this question at present.

(*b*) Yes, members of the lower chamber of the Federal Legislature, should be returned by direct voting. The proposal is not open to any strong objection on the score of the size of the constituencies. Now that the number of seats is to be increased, the territorial size of a constituency will decrease. It is not so difficult to canvass the support of a large number of voters in a small area than to canvass the same or smaller number of voters in a larger area,

7. REPRESENTATION OF WOMEN, LABOUR AND DEPRESSED CLASSES IN THE FEDERAL LEGISLATURE.

I would not have women in the upper chamber. For the lower chamber, women should have separate electorates. So the depressed classes.

Mr. MUHAMMAD HOSSAIN JAN, M.L.C., representing the Muslim League.

1. *The Chairman:* In what capacity have you come to give evidence?—I have come in my capacity as President of the Muslim League.

2. Have you submitted a written statment?—I have submitted two*; one in my individual capacity as a member of the council and the other on behalf of the provincial Muslim League.

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3. *Sir Muhammad Yakub:* You say in your written memorandum that the introduction of adult suffrage would, to some extent, solve the communal question also. Taking into consideration the fact that for a long time Muslim women would not be willing to exercise the franchise, how would the communal question be solved by adult suffrage so far as the Muslims are concerned? I have suggested that that would solve the question to some extent. I do not mean to suggest thereby that separate electorates might be abolished. As a matter of fact I do not suggest that. I have suggested that they should be retained. In some respects, adult suffrage will be some sort of a solution. We need not have a separate register for Hindus and Muhammadans, if there is to be a joint electorate. Muhammadans should now be made eligible for the vote

* Page 196.

on a lower qualification than the Hindus. That would be one way of solving certain problems. but not all. Suppose a time comes when separate electorates are not wanted, then the number of Muhammadans on the rolls will be sufficient. Their proportion in the population will be correctly reflected in the electoral roll if adult suffrage is introduced. In cases like that, some of the questions which might arise will be solved.

4. If the same qualifications for voters are fixed both for Muslims and non-Muslims, do you think that any great number of Muslim voters will come on the register?—I think so.

5. *The Chairman:* Are you in favour of the extension of the franchise to 10 per cent. of the population?—Yes. If adult suffrage is not introduced, the method which I have suggested will bring in about 10 per cent. of the population.

6. You do not desire any considerable extension of women's suffrage?—Unfortunately I do not.

7. Is it on the ground that it will revolutionise the domestic conditions in India?—Yes, but as a matter of fact, there are not any considerable number of women who have come into the political arena.

8. *Sir Sunder Singh Majithia:* In your written statement you say that you are in favour of retaining separate communal electorates and of the suggestion that each community should be given a voting strength proportionate to its numbers and that the franchise system should be so contrived as to secure this result. How would you do it?—Well, that would be done by lowering the franchise qualifications in the case of Muhammadans.

9. Will that be fair?—It depends upon whether you are really going to give adequate representation to the Muslims or not, and thereby afford political education of an efficient character. If you do not enfranchise a large number of our community, you will really withhold from us the means of political education.

10. So, you want to have two things, lowering of the franchise and weightage?—Yes. If there are separate electorates then the lowering of the franchise would not affect the interests of the other communities. It would have the effect merely of giving the Muslims political education.

11. Why do you think that the group system is not feasible?—I do think it to be feasible but not very advantageous. That is what I have stated in my memorandum.

12. You think that it would not be advantageous as it would not return proper secondary electors?—Well, we had experience of this sort of election some time ago. When the Minto-Morley reforms were introduced we had a very sad experience of that. In a certain municipality, the majority were in favour of a particular candidate for election to the municipal council. They appointed their delegate and that delegate was expected really to vote according to the wishes of the majority of the Muslims in that council and yet he did exactly the opposite thing. We had no control over him and he acted according to his whims and fancies entirely overlooking the mandate which the municipal board had given him. That is why I have a sort of horror of it. I am in favour of adult suffrage. Perhaps the group system would be the next best thing. But the experience that I have had of the working of that system of election is very bad.

13. *The Hon'ble Mary Pickford:* I see that you are in favour of adult male suffrage?—Yes.

14. But, for women, you would have the existing property qualification?—Yes.

15. So you favour a different qualification for men from that for women?—Yes.

16. This property qualification, as it is, only produces very few electors, does it not?—Yes.

17. That means the separate electorate will be a small one. Will you please tell us how you will manage a separate electorate considering that there would be only very few voters and the area over which they are spread out will be very large?—As a matter of fact if the present property qualification is retained, you will have, so far as women are concerned, considering their numbers, their status in society and their intellectual attainments, a sufficient number on the electoral rolls.

18. What number do you think it will come to?—I cannot say exactly but still there will be a sufficient number and they can have legislation of their own passed in the Council.

19. And you suggest that the candidate could go and canvass this large women's electorate?—No.

20. Would you tell me how the woman candidate would manage the elections?—As a matter of fact women who take part in politics are so few that it may not be right to give them more than one or two seats in the Council. For that purpose the whole province might be divided into two constituencies. It may not be possible for the women candidates to approach the electors directly or canvass from house to house, but still by means of pamphlets and other publications, they can secure their votes. What I mean is this. If the province is partitioned into two constituencies for the purpose of woman voting, then a woman candidate, although she may not be able to go and see every voter and ask for her vote, may still attain the same object by means of pamphlets and placards.

21. Can many of the women read? Are there many women who are literate?—Most of them cannot read.

22. *Mrs. Subbarayan:* Will you tell me if the views expressed in this statement are your own or the views of the Bihar and Orissa Provincial Muslim League?—They are the views of the Muslim League.

23. Is the league composed of men and women?—It is composed solely of men. As a matter of fact, no woman has wanted to be a member.

24. I just want to know if the views of women are expressed in this statement.—No.

25. *Mr. Butler:* In your memorandum you refer to the fact that there will not be much difference in the intelligence of the electors if the franchise is widened to 10 per cent. If you give them adult suffrage, will there be no difference even then?—Not very much. As a matter of fact voters who are now exercising the franchise have the same intelligence as other people.

26. So you say that under adult suffrage the voters would be able to give as intelligent a vote as the electorate that now exists?—I think they possess the same amount of intelligence.

27. There must be a small difference in intelligence between the present electorate and that under adult suffrage?—The difference will be in numbers only but there will not be much difference in the intellectual capacity of the voters.

28. You say there is no difference in intelligence between the lowest villager and the person who has got the vote at present?—There is a clear distinction between only two classes, landlords and tenants. The tenants generally are almost all of the same calibre.

29. *Mr. Chintamani:* You say that you do not consider the group system to be advantageous in the areas with which you are acquainted. Will you be able to explain in a sentence or two in what sense you say that it would not be practicable?—If you form small groups and if those groups are to choose

their delegates, those delegates may or may not vote according to the consensus of opinion among the members of the groups which elected them. Therefore it will be, in effect, establishing some sort of electoral college of persons who may not truly represent the wishes of their constituencies. There is always that danger.

30. You say elsewhere that mere illiteracy, particularly in Hindi, would mean very little. Will you kindly explain the force of this phrase "particularly in Hindi"?—It is so easy to learn Hindi. In the course of two or three days the learner can sign his name in Hindi. If you prescribe mere literacy as qualification, it will mean that a person who can sign his name is a qualified voter.

31. That is true of other scripts also, is it not?—No. The script of the Persian language will take a month or even longer to learn.

32. At any rate, that is your personal opinion, is it not?—That is the opinion of the League and also of a large majority of people whom I have personally consulted. Last night I held a meeting in Muzaffarpur and this memorandum was read at the meeting and all the members approved of it.

33. In the paragraph on women's suffrage you say that the existing property qualification should be retained. But suppose in the case of men the property qualification is lowered, would you accept that lower qualification in the case of women also?—I am averse to extending the suffrage to women. I would not like it.

34. Would you specially fix a higher qualification in the case of women than you would accept in the case of men?—I would suggest that the existing qualification should be retained so that the number of women may not become very large. This is after all rather a novel thing which we are introducing.

35. If the suggestion of adult suffrage is accepted, would you modify your statement that in the case of the depressed classes there should be separate electorates?—If there is adult suffrage also it may be desirable to have separate electorates for them.

36. You consider that quite practicable?—Yes.

37. You say in the memorandum that you would not have a woman in the Upper Chamber of the Federal Legislature. Why?—It is too high an ambition for ladies, for they have not yet had enough political education.

38. *Khan Bahadur Aziz-ul-Huque:* I take it that the problem of civic rights of women does not particularly arise in the Muhammadan community in which women are always given their own rights. Is it right?—Yes.

39. And the second reason, as you have stated, is that women who are engaged in domestic life do not require political education at the present moment. And thirdly I take it that orthodoxy in that community is so strong that there is a likelihood of misunderstanding if women are either voters or candidates, is it not so?—As a matter of fact there may be conflict in the family circle itself.

40. I take it that you agree that as we are now circumstanced by customs, we ourselves will feel particular difficulty in asking a woman for her vote, is it not so?—Yes.

41. One of the reasons for your objection to this is the experience you have got of the Montagu-Chelmsford Reforms. But the very object for which this indirect election is brought in, is not to supplant but to supplement the number of those who have now the vote, by representatives of those that have not the vote. Would you not be prepared to support indirect election in the case of those who have not got the vote?—That is the next best thing, I may say.

42. *Major Milner :* With regard to women's franchise, what is your objection to giving them the vote, whether they went to the poll or not?—That would be a sheer waste of time and energy.

43. But would not your objection be removed in view of the fact that they are free to exercise their franchise or not?—Once we give the vote to them it will be rather difficult to work it smoothly.

44. Is there any really logical reason why women should be put on a special basis, and why there should be a differentiation?—It is not a question of differentiation, but their present status, their qualifications, their intellectual advancement and the duties which they have to perform at home have to be taken into account.

45. Would not the majority of women who are educated desire the franchise? Do you think that women are educated equally as men?—Far from it.

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Memorandum submitted by Khan Bahadur SAIYID MUHAMMAD HUSSAIN, M.L.C., Government Pleader, Patna.

I.—PROVINCIAL LEGISLATURES.

1. EXTENSION OF THE FRANCHISE.

(*a*) In order to extend the Franchise, so as to include 10 per cent. of the population in the electorate roll I suggest the following means:—

(*i*) Lowering of the present minimum property qualification.

(*ii*) Addition of educational qualification of having passed middle, University or recognised Board Examinations.

(*iii*) Addition of liability of assessment to pay or payment of chaukidari tax.

(*b*) Intelligence does not depend on property qualification, therefore it is difficult to say if such an electorate will be capable of casting an intelligent vote. If the present electorate based on property qualification is considered fit to caste an intelligent vote it is inconceivable why an extended electorate based on property qualification would not be so. In this connection, I may, however, observe that with higher property qualification, better and higher intelligence is expected, and the addition of educational qualification will certainly add to the intelligence of the voting population.

(*c*) It would be feasible to entrust the task of the preparation of electorate rolls to respectable honorary body or individuals. For the maintenance and revision of the electorate rolls the establishment of a permanent office is necessary and desirable. As for the recording of votes the present system may be retained with an increase in the number of Presiding and Polling Officers and the Polling booths. With the extension of franchise the number of days on which poll is to be taken may have to be increased. As regards the counting of votes there will not be much difficulty. The assistance of respectable persons such as Barristers, Vakils, etc., may be requisitioned to help the returning officers. These suggestions will no doubt cause some increase in the expenses but that has to be met. It is not possible to have an extended electorate to the extent of 10 per cent. of the population without expecting some increase in the expenses, though the percentage of increase will be much less than the percentage of the extension.

(*d*) Does not arise after the above answers.

(*e*) It is difficult to say at present if it is practicable and desirable to enlarge the electorate roll, still further, and what means can be adopted

Memorandum by Khan Bahadur SAIYID MUHAMMAD HUSSAIN. [*Cont.*

to effect such an extension. The answer will much depend on the experience gained by the working of the new proposed extended franchise. At present I am against any further extension of franchise, and I would suggest that even the proposed extension should be 10 per cent. of the adult population, only.

(*f*) I am not in favour of the system of election by group electors. In my opinion the system of election by group electors is not at all feasible and practicable. It will lead to double election and will be too expensive to be followed. Election by group electors will be highly caste and sub-caste ridden, and will be much influenced by prejudices and superstitions. If inspite of this, if such a system were to be adopted, then on my opinion the group electors should be allotted a separate constituency.

(*g*) I am in favour of the suggestion contained in G, if the system of electoin by group electors be at all adopted.

(*h*) & (*i*) Do not arise in face of the above answers, as I am entirely against the system of election by group electors.

(*j*) No special qualification should in my opinion be prescribed.

2. FRANCHISE QUALIFICATION.

(*a*) Yes, there is a marked disparity, because the present qualifications in the two areas are not uniform I would suggest that in order to put an end to this disparity, uniform qualifications are necessary.

(*b*) I am in agreement with the suggestion but in order to effect this, franchise qualifications should be different for different communities, and the property qualification of a community known to be possessing less property than any other community should be fixed at a lower limit so as to bring the proportion of the voting strength of each community to its population to the same level. I am further of opinion that special and important minor communities should be given weightage and that this weightage should reflect on voting strength of such a community.

(*c*) Yes, in my opinion the possession of property of some kind is a suitable test of fitness for the franchise. The existing property qualifications are not suitable in principle as the proportion of the entire voting strength to the entire population is almost negligible and this defect can only be removed by reducing the minimum limit of property qualifications.

(*d*) Yes, literacy based on the qualification of having passed the examinations as mentioned in answer in question 1 (*a*).

(*e*) Yes, I would further suggest that retired Executive and Judicial Officers be included.

3. WOMEN'S SUFFRAGE.

(*a*) I am of opinion that the same qualification be prescribed for men and women, whether it be based on property, education or any other thing. Apart from the general increase both in male and female electorate, I am not in favour of any special increase in women's electorate.

(*b*) I am not at all in favour of the system of election by group elector, but if such a system were to be established there appears to be no reason why women should not be formed into groups, but the group should contain women only.

4. REPRESENTATION OF THE DEPRESSED CLASS.

I am of opinion that by mere general extension of franchise, the depressed class would not be able to secure representative of their own choice to any appreciable extent in the general electorate. I am in favour of separate electorate for the depressed classes in preference to joint electorate with

[redacted]orandum by Khan Bahadur SAIYID MUHAMMAD HUSSAIN. [*Continued.*

reservation of seats. Their separate electorate may be based on their liability to pay or to payment of chaukidari, union, municipal or such other taxes. I am not in favour of group system of election as said above.

5. REPRESENTATION OF LABOUR.

I am not in favour of representation of labour unless that be also on communal basis.

II.—FEDERAL LEGISLATURE.

ALLOCATION OF SEATS TO BRITISH INDIAN PROVINCES.

(*a*) I am against the representatives of British Indian Provinces in the Upper Chamber being elected by a single transferable vote, but on the contrary I am in favour of direct election not joint but separate for Muhammadans. I am further of opinion that the franchise qualilcations both as regards education and property should be higher in case of Federal Legislature.

(*b*) I am against indirect election as people had had sad experience of such an election. At least for some time to come adoption of the system of direct election is desirable, though no doubt there will be some difficulty attending such a system. But this difficulty has to be faced and overcome, and in spite of this difficulty, I would prefer direct election. The advantages of direct election are certainly more than those of a indirect one. Our goal should be to give a practical training to the general electors and to maintain contract between a constituency and its representatives, and this object cannot be obtained by an indirect election. In indirect election the electors will have no opportunity of knowing their representative and this in my opinion, is against the very principle of representative. To avoid the enormity of the size of a constituency and the difficulty of canvassing franchise qualification may be made higher and educational qualification may be added to property qualification. The enormity of a territorial constituency may also be reduced by having recourse to the system of separate communal representation, and by allotting more seats.

The difficulty suggested in the question may also be minimized, as far as the Province of Bihar and Orissa is concerned by allotting 18 seats in the Upper Chamber and 27 seats in the Lower Chamber and by retaining separate electorate for Muhammadan community and by giving them 6 seats in the Upper and 9 seats in the Lower Chambers.

REPRESENTATION OF WOMEN, LABOUR, ETC.

As regards this head I have nothing to say further than that no special seats in my opinion need be reserved for women and labour.

GENERAL.

Women have no doubt been already given franchise but no arrangements, in consonance with the custom of purdah which is not likely to disappear in the near future, have at all been made for recording their votes. It may be that after a lapse of time which may be a considerable one, the purdah system may vanish but we must make some allowance as far long as it is likely to exist. At the last election the number of females voting was almost negligible for practical purposes, and this in my opinion was due to the absence of any arrangements for their voting in purdah. In order to give them chance of exercising their franchise some arrangements should be made to facilitate their coming to and voting at the polling ground. A separate day may, in my opinion, be fixed for their voting and women agency may be appointed for recording their votes. If this suggestion of

fixing a separate day be not accepted, at least a separate polling booth may be provided for them. There may be another alternative suggestion namely that women be allowed to send their votes by post as is being done in the case of election to the University and the Council of State, though this may be also open to some criticism specially as this concerns women.

There is in my opinion one other question which should be properly tackled, namely giving a proper chance to Government Officials and employee to vote. At present as the electoral rules stand many of them are deprived of their chance of voting. The rule which exists for enabling Government Officers employed in election work, to vote, is defective and in majority of cases their certificates do not in time reach the office of Returning Officers. Before I close I have to say that these suggestions are based on the assumption that separate electorate will continue.

Khan Bahadur SAIYID MUHAMMAD HUSSAIN, M.L.C., Representing the Muhammadan Association.

1. *The Chairman:* You represent the Bihar and Orissa Muhammadan Association?—Yes, Sir.

2. You have heard the evidence of the preceding witness. Will you please tell the Committee in what respects you do not agree with him?—I do not agree with him on the question of adult suffrage.

3. How far do you favour an extension of the franchise?—I am in favour of extension.

4. To what extent?—To ten per cent. of the population or thereabouts.

5. Is there any other matter on which you do not agree with the last witness?—I did not hear fully and correctly all that he said with regard to women's franchise.

6. What is your view?—My view is that women should be granted the franchise and that there should be no difference between the qualifications for men and women. If there is an extension of the franchise, the extension should be to the same degree and to the same extent in the case of women as in the case of men. No special extension or increase should be given to women.

7. If the basis of the extension is the lowering of the property qualification, that would not in effect enfranchise many women, because the number of women who own property is very small? And I understand that a large proportion of Muhammadan women are of this class. Would you adopt the scheme of enfranchising wives and widows of the men who have the right to vote?—I do not agree to that

8. *Major Milner:* Why?—My reasons are that if you enfranchise the wives and widows of male holders of property in Hindu families, that would be practically giving a double vote to their husbands or fathers.

9. *The Chairman:* If you are against adult franchise and against enfranchising women on the property qualification of their husbands, does it mean that you would enfranchise no women at all?—There are women, and a sufficient number of women to my knowledge, many of them Hindu women also, who own property and so will have the vote. I have said in my statement that education should also be made one of the grounds of franchise.

10. What is the standard of education which should qualify them to vote? —I have stated that some sort of examination, the lowest known public examination, should be taken as the basis for enfranchising people.

11th Feb. 1932.] Khan Bahadur SAIYID MUHAMMAD HUSSAIN. [*Concluded.*

11. *Mrs. Subbarayan:* You say that no special seats should be reserved for women. Is it because you think that women will be able to come in by the general constituencies to both the Provincial and the Central Legislatures?—I think that if women stand as candidates they will be successful in the general constituencies.

12. Suppose they do not succeed especially as the voting strength of women is so small?—That is an extreme case you take. My own idea is that they will succeed. If they do not succeed then there may have to be some sort of nomination, although it may not be liked in these days. Or members of the provincial legislature may be empowered to co-opt a certain number of women members.

13. *Sir Muhammad Yakub:* Do you not find that much property is passing away from Mussalmans into the hands of money-lenders? And so don't you think that some other qualification than the landed qualification would be more suitable for Mussalmans as the basis of franchise?—That may be, but there is one thing which I have mentioned in my statement, that is, the voting strength of each community must be in proportion to its population. In the case of Mussalmans the qualification may be lowered, and the difficulty suggested in your question would be minimised if such a course is adopted. Then again, we have also added educational qualification. That may also bring in some people who may not be enfranchised on the property basis.

14. You said that under the Muhammadan law, Muhammadan ladies get a share of landed property from their husbands, fathers and mothers, and therefore you think that among Mussalmans there will be quite a fair number of ladies who would be owning property in their own right. Is it so?—That is my impression.

15. *Major Milner:* What are your objections to women being enfranchised through the group system?—I am generally against the group system, because there will be no contact between the representatives and their electors. Then again, that will not be independent voting at all. We also had a sad experience of group or indirect system of election before, in 1919, as the delegates played false to their electors.

16. Assuming it became known, you could refrain from electing those delegates at the next elections, could you not?—That is very difficult to say because this experience would be gained after the election.

17. But it would be possible in course of time to see that the delegates do what the voters desire them to do?—In course of time it may be possible. But at present there is a greater likelihood of the voters being played false.

18. To revert to my original question. If there was a system of men voting by the indirect system, would you have any objection to women being put on the same basis?—If there is an improvement in the male elections, then there will certainly be an improvement in the female elections also. If such a time comes I have no objection.

19. Your objection will be removed if arrangements could be made for separate polling booths for women, would it not?—In that case I would not like the group system at present. I have said in my statement that on account of their purdah system, women voters did not take part in the elections last time.

20. Do I understand you to say that if men were enfranchised through the group system either as a substitute for or as a supplement to direct election, you would be willing for women to be equally enfranchised?—My statement on that point is that at present the group system is neither suitable for women nor for men. But if the time comes when the group system, upon experience, becomes suitable for men, at that time this group system may be suitable for women also. But that time has not yet come.

Memorandum submitted by the BIHAR PROVINCIAL HINDU SABHA.

I.—PROVINCIAL LEGISLATURES.

1. Extension of Franchise.

(*a*) The existing qualification for being an elector may be modified only to the extent which the suggestion mentioned below would necessitate:—

(*i*) All persons who are literate and are of 21 years of age or over.

By the word "literate" our meaning is the same as is given to the word in the Census Report, namely, 'persons able to read and write any language but not under instruction'.

This would roughly enfranchise 3½ of the population.

(*ii*) To pull it up to obtain 10 per cent. we would enfranchise even illiterates who have property or tax-paying qualification to the extent that would give the requisite percentage.

(*iii*) We would also suggest that all adult members of a joint family having requisite property qualification (and not only *Karta*) should be franchised.

(*b*) It will undoubtedly be a great improvement on the existing state of things and the proportion of intelligent voters will certainly be more.

(*c*) Yes.

(*d*) Does not arise.

(*e*) We think that the administration shall have to enlist the services of the members of the public much in the same way as it does to get Census figures, if the electorate is enlarged still further and further till the goal of adult suffrage is reached, and perhaps the Government shall have to maintain a department for the purpose of elections. Nevertheless, they will be substantially helped by the party organisations that are bound to spring up in every part of the country with the advance of the democratic type of Government. We do not consider that the extra expenditure will be so much as to make it unmanageable or administratively impracticable to enlarge the electorate.

(*f*) We are against indirect election. Our objections to it are that—

(*i*) the machinery will be complicated and the people will not easily understand it;

(*ii*) local animosity, jealousy and other personal factors will play a great part in the selection of group representatives and their voting will not necessarily be on any programme or principle; whereas if every eligible voter has equal rights there can be no apprehension such as this.

(*g*), (*h*), (*i*) and (*j*) Do not arise.

2. Franchise Qualifications.

(*a*) Yes. We think that the disparity cannot by the very nature of things vanish until we have adult suffrage. Besides, when we are putting forward literacy and property qualifications for being a voter we recognise that disparity of some sort must exist in the urban and rural areas by reason of the different state of things existing in those areas. All that we would like to urge is that the voting qualification should be *uniform* throughout. That would minimise the disparity to some extent.

(*b*) We are definitely of opinion that the voting qualification should be uniform for all classes and communities and no attempt should be made by lowering or increasing the qualifications of voter according to the particular community to which they belong with a view to let them have a voting strength proportionately to their population.

(*c*) *and* (*d*) Please refer to our answer to question 1 (*a*).

(*e*) Yes.

3. WOMEN'S SUFFRAGE.

(*a*) We are in favour of increasing the women's electorate in the ways suggested by the Simon Commission and modified by the Round Table Conference with respect to age. We are of opinion that the age qualification should be the same with respect to women as to men.

(*b*) We are not in favour of group representation so this question does not need any answer from us.

4. REPRESENTATION OF THE DEPRESSED CLASSES.

Yes. We would suggest joint electorate with reservation of seats till such time as the goal adult suffrage is not reached. It must be noted that even to reservation we agree only as a temporary experience. But we in this province shall never agree to the splitting up of the integrity of the Hindu society by means of a separate electorate for any section of the Hindu community. The Hindus of this province would attach no value to any reform which would divide the Hindu community. The feeling here is very strong that nothing should be done to disintegrate the Hindu community in the slightest degree. If anything of this sort is done, the Hindus would rather boycott the legislature than tolerate it.

We are against group system of representation.

5. REPRESENTATION OF LABOUR.

There would have been no difficulty in the matter of representation if the adult suffrage would have been brought in force. But in the existing condition we feel that so far as industrial labour is concerned the Trade Unions should be asked to send the requisite number of representatives whereas the representative of the agricultural labour, which, we do not think is organised, should be elected by the provincial legislature from among persons who are interested in their well-being. There should be reservation of seats for labour and this system of representation should continue only till the goal of adult suffrage is reached.

II.—THE FEDERAL LEGISLATURE.

ALLOCATION OF SEATS TO BRITISH INDIAN PROVINCES.

(*a*) We agree to the proposal of the Federal Structure Sub-Committee of the Round Table Conference regarding representation to the Upper Chamber of Federal Legislature.

No. We consider that the voting qualification for both the Provincial and Lower House of the Federal Legislature should be the same.

(*b*) We are against indirect election in any form in the Lower House of the Federal Legislature. We are in favour of direct election to the Lower House of the Federal Legislature. We are sure that the area will be smaller in size in the case of the Lower House of the Federal Legislature than the area of the constituencies of the present Legislative Assembly and the candidates will have less difficulty in managing election than they have at present. In case the number of seats to the Lower House be 26 as given in the questionnaire we would have—

Seven representatives from Tirhut Division, Six representatives from Bhagalpur Division, Five representatives from Patna Division, Four representatives from Chota Nagpur Division, Four representatives from Orissa Division.

PATNA.

Dated 12th February, 1932.

PRESENT:

ALL MEMBERS OF THE INDIAN FRANCHISE COMMITTEE, EXCEPT SIR ERNEST BENNETT, AND ALL MEMBERS OF THE BIHAR AND ORISSA PROVINCIAL FRANCHISE COMMITTEE.

Kumar GANGANAND SINHA
Mr. R. K. MUKHARJI
Mr. BISWANATH SAHAY
} **Representing the Bihar Provincial Hindu Sabha.**

1. *The Chairman:* You represent the Bihar Provincial Hindu Sabha?—Yes.

2. Can you tell me the membership of the Sabha?—It has been varying from year to year and at one time we had about 118 branches in Bihar, excluding Orissa. Of course, it has been going up and down every year and this year we have got about 40 branches working in Bihar proper.

3. You have no idea of the total membership?—We have on the roll about 1,336 members at present.

4. As far as I understand from your paper, you are broadly in favour of enfranchising 10 per cent. of the population direct?—Yes.

5. Supposing it became clear that for administrative reasons it was not practicable to conduct elections on so large a scale, and that you could not hold the elections in a day, would you still be opposed to supplementing the direct system by the indirect system?—We are opposed to the indirect system in any form and we are not enamoured of completing the voting in one day.

6. You suggest it should be spread over a number of days?—Yes.

7. Would you explain a little further why the system of indirect election is necessarily unintelligible to the people? Why should it necessarily increase local animosities?—In the first place, when the primary elections in the groups take place, as suggested in the questionnaire, the people will not readily understand for what particular purpose they are voting or which candidate they are going to support unless there is a very big propaganda carried on at enormous expense in all the constituencies. Then again the conditions in the villages are such that they will not generally send the men who will represent any party or politics and there may be certain caste disputes and certain personal animosities and personal jealousies in the villages and they will go very far when secondary elections take place. Again, the educative value will, I fear, be very much less, because if there is direct election the man who votes knows for whom he is voting and for what he is voting. If there is indirect election he does not know what he is voting for and the villagers will be carried away by personalities and sometimes they are influenced by influential persons of their locality who may not necessarily be sharing the politics or the programme which is shared by a large number of people.

8. In the present state of education in the village don't you think it would be easier for the villagers to select one of their own number whom they know, than to vote for a candidate who represents a large area? Don't you see any advantage of indirect election in that way?—I fear that by the system

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of indirect election the village will be far removed from actual politics or the actual opinion of the country.

9. As regards the depressed classes, you suggest joint electorates with reservation of seats?—Yes.

10. You express a very strong opinion against separate electorates. Will you explain to us the distinction you draw between reservation of seats and separate electorates for the depressed classes?—The Hindus of this province do not want the disintegration of the Hindu society, and once the evil of communal electorates and separate electorates is introduced, we do not know when they will end. In this connection I find myself much in agreement with the findings of the Simon Commission. On page 65 of Volume II they say " if separate electorates have to be maintained for certain classes which have already secured them, that is no reason for bringing other cases within this mode of treatment, if it can be avoided. A separate electorate for depressed classes means, as a preliminary, a precise definition of all who are covered by the term, and the boundary would be in some cases difficult to draw. It means stigmatising each individual voter in the list, and militates against the process which is already beginning, and which needs to be in every way encouraged—that of helping those who are depressed to rise in the social and economic scale ".

11. Whom do you include in this province in the term depressed classes?—I think the word " depressed " is a misnomer, as has been pointed out by the compilers of the census reports. I find that the classes included among the depressed classes in the census reports of 1901, 1911 and 1921 have been varying. The word " depressed " has been used only in the census of 1921 and even that report is full of inaccuracies and therefore means practically nothing. So it is very difficult to answer that question. Personally, I would not call anybody a depressed class man.

12. Then for whom do you suggest joint electorates with reservation of seats?—I can understand the word " untouchables "—people who are not getting fair treatment at the hands of high caste Hindus. In this province we do not experience much difficulty in that way, but there are places where they have certain restrictions.

13. In this province what are the conditions? Whom would you call untouchables in this province?—Those who are not ordinarily allowed to draw water from the wells and are looked down upon socially by certain high caste Hindus. Of course, I must add that the idea is vanishing very much and that the trouble is not acute in this province.

14. Would you give me the names of the castes which suffer from those disabilities?—Doms, Chamars, Dusadhs are the few castes.

15. They include all the castes that suffer from those two disabilities, not being allowed to draw water and to enter the temples.—I may tell the Committee that where there are high caste Hindus in a village they are not allowed to draw water from the wells in that locality and are not allowed to mix socially with the high caste Hindus. They have their own wells, from which they are allowed to draw water freely.

16. *Mr. Middleton:* I don't think that the list is exhaustive. Is that general in the province?—I should think so.

17. *The Chairman:* What are the castes who are not allowed to draw water and enter the temples?—I may mention, Bhuiyans, Chamars, Dhobis, Dusadhs, Mosars and Doms.

18. *Babu Chandreshwar Prashad Narayan Singh:* What about Mehtars?—They come under Doms. It is a branch of the Doms, I think.

19. I understand you group them under separate electorates and give them reserved seats.—Not separate.

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20. On what basis?—In proportion to their population.

21. *Sir Sunder Singh Majithia:* You just now said that Dhobis are included in the depressed classes, not allowed to draw water from the wells. Don't they wash your clothes and don't you wear them without a second wash?—They are not allowed to draw water from the wells from which the high caste Hindus draw their drinking water. Of course, we wear the clothes washed by them.

22. They are not so much excluded as the others.—No.

23. In fact, I could say it is only the sweeper class that you don't allow to touch you.—Yes.

24. There is not much restriction about others.—It is not felt so much. I want to make the point that the distinction is not felt in the village.

25. In your statement you say with regard to the representation of labour that " the representative of the agricultural labour which, we do not think is organised, should be elected by the provincial legislature from among the persons who are interested in their well-being ". Do you mean to say that after the Council has been elected they would have the chance of co-opting certain members.—For agricultural labour, because it is not organised.

26. That is, the council as a whole?—Yes, they will co-opt.

27. *The Hon'ble Mary Pickford:* In Question No. 3 you have answered the two questions (*a*) and (*b*) and have not answered (*c*). It has been said that as the idea of women in the legislatures is a new one not many would be returned by open election. It has been suggested that as a temporary measure at any rate the legislature should co-opt women members to an extent not exceeding 5 per cent. by a system of proportional representation so as to ensure some representation of women in the legislature. Will you give us your views on this point, and if you don't approve of this suggestion, what other suggestion have you to make?—I agree that for some time to come every facility should be given to women to come to the legislatures. But this provision can only be recommended for a short period, in case they are not returned by the general constituencies.

28. You agree with the suggestion of co-option?—Provided that experience shows that they do not come in in the ordinary way.

29. You do not admit women members in your Sabha?—We do. As a matter of fact, one of the members of the Executive Committee of our Sabha is a woman.

30. Then, have the women of your Sabha been consulted on this question? —When the questionnaire was being answered and when we held a meeting of the Executive Committee to formally adopt it the woman member of the Sabha was there.

31. She agrees with the view which you have stated.—Yes.

32. *Sir Muhammad Yakub:* Does the Hindu Mahasabha share the political views of the Congress?—Not necessarily. I will add that in the Hindu Mahasabha we have got Congress people and non-Congress people. We are going on a different principle and we have a different programme.

33. Would you include some of the Muslims, like the Muslim sweepers, amongst the depressed classes or untouchables?—I don't think that the Hindu Sabha is concerned with the Muslim sweepers. That is for the Muslim community to say.

34. The Hindu Sabha is not at all concerned with the Muslims?—No, not as a body.

35. According to you what is the general opinion of the people in this province about direct and indirect election?—According to my opinion the bulk of the people are in favour of direct election.

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36. *Mr. Butler:* For the agricultural labour which is unorganised, would you be in favour of indirect election till the goal of adult suffrage is reached? Would it not be an advantage?—I very much doubt, because in the indirect elections the inherent defect would be that the mass of the people will have very little chance of making their opinion felt. If there is direct voting then the man knows what he is voting for and for whom he is voting.

37. Therefore you would give them no vote?—I visualise the time when the goal will be reached and I want everybody to be given the right to vote.

38. *Dr. Ambedkar:* I find that you agree that some provision will have to be made, I do not care whether it is joint electorates or separate electorates, in order that the depressed classes may get representation in the legislature? —Yes, as a temporary expedient.

39. You say that it is conditional upon adult suffrage not being reached? —Because when the goal of adult suffrage is reached they will get representatives from among their own numbers.

40. The question I want to ask you is this. Assuming that there is direct adult suffrage, for which you stand, would not the depressed classes in every constituency be a minority? Do you conceive any constituency in Bihar where they will be in a majority?—That will depend on whom you take as depressed classes.

41. We will confine our attention for the moment to the untouchables. Do you agree with me or not that even under adult suffrage in every constituency, no matter how you devise it, the depressed classes would be in a minority?—That would all depend upon how you take it. If you put all the non-untouchables on one side and all the untouchables on the other, they will be in a minority.

42. Therefore, there is very little chance for them to get their own men elected.—I don't agree.

43. As a minority in the constituencies?—I don't think that if there is a capable untouchable he cannot succeed at the poll.

44. Supposing a Dusadh is a candidate. Do you think that there is the probability of other voters voting for him in a straight fight?—You don't seem to realise the educative effect this will have.

45. That is another matter. The question is whether without special provision for the depressed classes there is a chance of their being elected to the legislatures?—I shall not be surprised if they are elected. As a matter of fact, in several provinces they have been elected even under the present conditions.

46. Where?—In the United Provinces.

47. For what purpose were they elected to the United Provinces Council? —Because the people wanted them.

48. It was for bringing the Council into contempt. You agree that they will be in a minority in every constituency even if there is adult suffrage?—I am not sure even of that. It will depend on the numbers.

49. Take, for instance, the untouchable population. It is a very small population.—Just like any other caste.

50. I thought you stated that in the census the depressed class population was overestimated and that it was in fact smaller than the census figure?— My position is this, that the census figures are illusory by reason of the fact that several new castes have been added.

51. Therefore if you apply your test of untouchability, several classes would have to be excluded and consequently the total population would dwindle and there would be a smaller number than the present figure under the nomenclature now adopted?—Yes.

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52. And I say that as a minority they would have no chance of getting elected under adult franchise even?—I may be permitted to say that if you divide the Hindu society by castes and not by their social conditions, then the untouchables would not be in a minority whereas the other castes would be. In some places the Brahmans would be in a minority and in some places the Kshatriyas would be in a minority.

53. We are considering the position of the depressed classes? Now, regarding the question of the method of representation to be given to depressed classes, you view it from the standpoint of the Sabha and the effect it will have on that body?—Yes.

54. You do not propose to consider whether the method you suggest will give the depressed classes real and not nominal representation? You would not like to consider this question from the standpoint of the depressed classes themselves? You want to regulate this by the possible effect it will have upon the Hindu society, whether they stand together or whether they break up?—I consider the untouchables or, as you call them, depressed classes, as part and parcel of the Hindu society. That is my point of view.

55. You do not care what sort of representation the depressed classes get so long as the method adopted is a method which does not break up the Hindu society?—That is my point of view.

56. Regarding the list of castes which are to be included in the term "untouchable", have you looked into the document prepared by the Bihar and Orissa Government for the use of the Simon Commission which gives the list of castes which are reported by the Government as being depressed classes and as being fit for special representation in the Bihar and Orissa Legislative Council?—No.

57. Have you looked into the list of castes given in the Educational Code of the Government of Bihar and Orissa?—I do not remember to have seen it.

58. Would you mind looking into that list and submitting to this Committee the castes which, in your opinion, ought to be regarded as untouchables?—Yes, I am prepared to do it.

59. Then I find another list in the Educational Code of the Bihar and Orissa Government enumerating certain classes as untouchables. Would you mind going through it and putting a mark against the castes which in your opinion ought to be regarded as untouchables?—Yes.

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60. *Mr. Chintamani:* Has your provincial Hindu Sahba any branches in the districts of the province?—Yes.

61. Have you got a branch at Gaya?—We have got at Gaya a district Hindu Sabha and a town Hindu Sabha.

62. Is the Hindu Sabha at Gaya from which we have received a memorandum affiliated to the provincial Hindu Sabha?—Which Sabha? There is a town Hindu Sabha and a district Hindu Sabha and we are not aware of any of these Sabhas having sent in any memorandum to this Committee except the one that we ourselves have sent.

63. We have here the memorandum* sent by the Secretary, Hindu Sabha, Gaya. His opinions differ very materially from the opinions of the provincial Hindu Sabha. Is that Sabha a branch of your Association?—Unless I know the name of the sender, I cannot say. Possibly the sender might have given that statement in his personal capacity. I think he has sent it only on behalf of himself. Any member of the Sabha can write about these things only after consulting all the other members of the Sabha.

* Not printed.

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64. In your memorandum, under the head "Women's Suffrage" you accept the method suggested by the Simon Commission for increasing the women's electorate with respect to age; but, you do not say anything about the literacy qualification for women? You say that you are in favour of the method suggested by the Simon Commission and modified by the Round Table Conference with respect to age?—I want the same age for men and women.

65. Your objection to the special representation of the depressed classes was, I understood, on the ground of its disintegrating effect on the Hindu society?—Yes.

66. Do you think there would be any such effect if, instead of separate electorates, we have joint electorates with reservation of seats?—Only as a temporary expedient I suggested reservation of seats. The disintegrating effect of this course would not be as great as it would be if we have separate electorates.

67. *Mr. Miller:* You do not think that direct elections and indirect elections can be combined for the whole province?—I should not think so.

68. With regard to the Upper Federal Chamber and the Federal Legislature you have not stated clearly in your memorandum whether you like direct election or indirect election?—For that, we agree with the tentative proposal of the Round Table Conference that the representation should be by the provincial legislative councils. . . .

69. *Khan Bahadur Aziz-ul-Huque:* You stated that you are in favour of joint electorates with reservation of seats for the depressed classes. I take it that you feel that the depressed classes should have special representation?—Yes, for the present.

70. I want to know from you whether the representatives of the depressed classes should be from among themselves or not?—I think it would be better if they are members of the untouchable castes.

71. You must have considered this point. I want you to give the members of the Committee a clear idea as to what you desire to secure for the depressed classes?—I do not quite catch you.

Diwan Bahadur Ramaswami Mudaliyar: May I intervene? Under the system we have, it cannot be anybody else except members of the depressed classes.

72. *The Chairman:* Mr. Sinha, do you want, in so far as there is some special representation to the depressed classes, that that representation should be by members of the depressed classes themselves or by anybody else?—I should like the members of the depressed classes to come, my Lord.

73. *Khan Bahadur Aziz-ul-Huque:* In your study of history, have you ever found that a majority with 90 per cent. has done full justice to a 10 per cent. minority?—Yes, I think so.

74. As regards the federal legislature, I take it that you have divided the representatives among the different classes. Have you considered that the Muslims will also come into the calculation?—Of course we did not consider the question of separate electorates for the Muslims.

75. Would you make provision for the Muslims from these representatives?—I would not give a separate electorate for the Muslims.

76. In other words you do not want even special representation by reservation of seats in the federal legislature for the Muslims?—No, I do not want.

77. You consider that all the members of the federal legislature should be elected by joint electorate?—Yes

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78. *Major Milner:* Are you in favour of complete adult suffrage as the ultimate goal?—Yes.

79. Do you not, therefore, think that the transition to adult suffrage could be more easily accomplished from complete indirect group system than by having property and other qualifications merely for the vote?—No, Sir, I do not think that indirect election will have a salutary effect in this country.

80. I am asking you whether you do not think that the transition would be more easily accomplished from the group system to adult suffrage than from the system under which only a minority has experience of elections?—I do not think so.

81. From which system could you more easily get to adult suffrage?—From a system of direct enfranchisement.

82. You represent the Hindu Sabha?—Yes.

83. If I may say so without offence, your principal consideration in all these matters is your desire to retain the essential characteristics of Hindu society so far as possible in any future franchise system?—Of course I cannot deny that the wellbeing of the Hindu society is in my mind; but I look at all these questions from the point of view of the welfare of India as a whole.

84. The welfare of the Hindu society is your principal objective in the views you put forward?—Not from the Hindu point of view altogether, but from the national point of view.

85. *Diwan Bahadur Ramaswami Mudaliyar:* Have you read the report of the Simon Commission wherein they propose a system of separate electorates for the depressed classes?—Yes.

86. I understand your point of view to be not merely that you want to prevent the disintegration of the Hindu society but that you also want not to arrest the process of elevation of these classes which are called untouchables, which would inevitably result if they are to go to a separate list and be treated permanently as untouchable castes?—Exactly.

87. Now, on the basis of adult franchise, a certain number of members of the untouchable classes would certainly have the vote and, whether they are returned as untouchables or not, they will have an influence in the voting at every election and in every constituency?—Yes, Sir, they will be able to exercise an influence.

88. The Hindu society, as I understand it, is divided into higher castes and untouchables, and, in between them there is a large group of castes which certainly have very little to do with the higher castes and which, economically and otherwise, are more akin really to the untouchable castes?—I agree that there are very many gradations in the caste system.

89. I want to ask you whether some of these low caste people have any better chance of being returned than the untouchables in a general constituency with no reservation?—They will have as much chance as any other caste.

90. Will they have as much chance as any of the higher caste men?—I shall not be surprised if they get elected.

91. I suppose you will be as much surprised at their election as at the election of the untouchables?—Yes.

92. Therefore what I am driving at is this,—that we must look to the representation of every caste in the legislative council by means of their influence at the poll?—Yes, I would go further and say that we must take the Indians as a whole and not sub-divide the Indian society into castes and sub-castes.

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93. *Babu Swayambar Das:* Do you apprehend any caste feelings being aggravated under the indirect system of election?—Yes.

94. Is there any bar to membership of your Sabha? Is it open to members of the untouchable classes?—There is no bar. There are numbers of untouchables in my Sabha.

95. Is one object of the Mahasabha to elevate the untouchables?—Yes. We have been working persistently for that purpose.

96. *Rai Bahadur Sarat Chandra Ray:* Is it not a fact that some of these untouchables and depressed classes are rising gradually in the social scale and ceasing to be depressed classes?—Yes.

97. Is it not a fact that the Buiyas in Orissa are now taking water from the same wells with the Brahmans?—Yes.

98. So, if in the matter of franchise they are separated from the general body of Hindus, do you not apprehend that this process of social elevation will be retarded?—Yes, I very much apprehend it.

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99. *Mr. Middleton:* The aboriginals number about 3½ millions living scattered all over the presidency. Do you think that they will get any representation on the general constituencies at any time?—I should not be surprised if they get it. The times are changing and their social status is being elevated and ere long there will not be any untouchability or untouchables. I might add with regard to the question put by Mr. Chintaman that I will make enquiries. I repudiate any suggestion coming from a subordinate branch of our organization which is contrary to our own suggestion. I may mention also that, so far as the nomenclature goes, there is no such Sabha affiliated to our organization.

Memorandum submitted by Babu SRIDHAR SAMAL, Special Inspecting Officer for Depressed Classes, Cuttack.

I.—PROVINCIAL LEGISLATURES.

1. EXTENSION OF THE FRANCHISE.

(*a*) (*i*) A lower franchise qualification than that existing at present may be adopted for the registration as an elector.

(*ii*) Some other practicable method may be introduced to include the labouring classes and the depressed classes in the electorate who have no property.

(*iii*) To include persons who have education but no property.

(*b*) & (*c*) Yes.

(*e*) Qualifications which will enable the three class of persons mentioned in (*a*) above to have the right of voting may be still further lowered.

(*f*) The group system may be practicable and advantageous but I can support it only on condition (*i*) that separate groups are formed for the depressed classes as otherwise, Zamindars and the money-lender class will never allow them to select the right type of spokesmen and persons belonging to higher classes will represent them in the election; (*ii*) that Government Officers are deputed to supervise the group selection.

The group electors may vote in separate constituencies.

(*g*) No.

(*h*) My answer is in the negative. The group system can help only those who are not included in the Electorate with property qualification, such as the depressed classes and the labouring classes.

(*i*) I support the group system in addition to the Electorate with property or other qualifications.

The size of the group.

This can be fixed by taking into consideration the population of any community and the representation which they will get in the Electorate. As for example, if the male adult population of depressed classes be 100 in any province and if it be decided that they will secure 10 votes in the Electorate (on population basis) then they should be divided into groups of 10. Officers deputed by Government can frame such groups.

(*j*) No.

2. FRANCHISE QUALIFICATIONS.

(*a*) Yes. Rural franchise may be lowered in comparison with urban franchise.

(*b*) Yes. The problem may be solved if the "Group System" in (*f*) above is adopted provided that the depressed classes or other communities to which it may be referred are grouped separately from other classes.

(*c*) Yes, but property should include income of any sort, *i.e.*, pay of persons in service and wage-earners and other incomes. It is possible to fix the minimum income for qualification as a voter. No difficulty can arise in the case of persons serving under Government, or any municipality or district board or company servants.

(*d*) All who have passed the Middle English or Middle Vernacular and have not property may be included.

(*e*) Yes.

3. WOMEN'S SUFFRAGE.

(*a*) Yes. Their voting strength will be equal to their population.

(*b*) Women may be grouped separately but I do not think the group system is practicable in their case.

4. REPRESENTATION OF THE DEPRESSED CLASSES.

It is impossible for the depressed classes to secure representatives in the general electorate at present.

(*a*) I strongly advocate separate electorate for the depressed classes on population basis for a period of twenty years. Their voting strength will be equal to their population. Separate electorate can enable them to send true representatives.

5. REPRESENTATION OF LABOUR.

Election by special constituencies.—(*a*) and (*b*)—On the importance of the industrial area in each case.

II.—THE FEDERAL LEGISLATURE.

6. (*a*) The Franchise should be the same for the federal and provincial legislatures.

(*b*) The number of seats for Bihar and Orissa in the Upper Chamber should be thirty and in the Lower Chamber fifty. The constituency is not large when the number of elected seat is also large.

Memorandum by Babu SRIDHAR SAMAL. [*Concluded.*

7. REPRESENTATION OF WOMEN, LABOUR AND DEPRESSED CLASSES.

Depressed Classes.—Representatives for the Federal Legislature may be secured through separate electorates or by indirect election from the members of the depressed classes in the Provincial Council.

8. GENERAL.

A list may be prepared for election purposes of those communities who are considered as depressed or untouchable as is done by the Education Department. In the last Legislative Council persons belonging to other classes were nominated to represent the depressed classes. Persons belonging to the depressed classes must represent them in the Legislative Councils. But it happens that persons of depressed classes with academical qualification enter Government service and their economic circumstances do not allow them to devote their time to public work. I, therefore, suggest that in order to get right type of persons belonging to depressed classes for the Council Government servants belonging to depressed classes should be permitted to join the Council through election while in service for a period of 15 years. I attach great importance to this point.

Memorandum submitted by Babu RAM NARAIN, M.L.C., Sub-Deputy Magistrate, Supaul.

I.—PROVINCIAL LEGISLATURES.

1. (*a*) The abolition of property qualification and the adoption in the rural area of chaukidari payment up to the extent of municipal payment allowed in the urban area and the maintenance of the municipal tax in the urban area or the education qualification up to a diploma showing graduates in Arts or Science. It will include 25 per cent. of the population in the Electoral Roll.

(*b*) Yes.

(*c*) Yes. It will be much more easier than the present system of election. In the case of rural area it is the chaukidar punches who will report the names of dead chaukidari payers and their successors and this report will be verified by some officer preferably by a Magistrate. But in the case of the municipal area which is in the hand of the Local Body this information is generally not maintained and it will have to be ascertained by some agency appointed by Government.

(*d*) Nothing else.

(*e*) Please *vide* answer to question (*a*) and (*c*).

(*f*) Group Election is never desirable in this Province where there are men of diverse caste, creed and feeling in habit. It will tend to create mutual ill-feeling and hostility among the neighbours to the detriment of public peace and comfort.

(*g*) No.

2. FRANCHISE QUALIFICATIONS.

(*a*) I being the Assistant Elections Officer of the Patna Division and Palamau for the last 3 elections I am able to say that there is a marked disparity between the 2 areas. The adoption of the chaukidari tax to the extent of the municipal tax will remove this disparity.

(*b*) I do not agree with the communal electorates.

Memorandum by Babu RAM NARAIN. [*Concluded.*

(*c*) Property qualification is never suitable. For want of adequate education in the Province matter stands on influence. Property qualification is nothing but the source of the close relation between landlords and tenants. It is the landlords who are the successful candidates for the council because the tenants are bound to vote for them.

In my opinion the adoption of chaukidari tax and the maintenance of municipal tax or the educational qualification in being graduates in Science or Arts is the suitable franchise.

(*d*) Educational qualification as defined in Answer to question (*c*) must be alternative qualification.

3. WOMEN'S SUFFRAGE.

(*a*) The Indian women aged 18 years are generally very intelligent and their age should be 18 years in place of 21 years. Any woman who can read and write any language of the Province may be eligible for vote in alternative of the qualification suggested above. The women's electorate will have its increase by adopting this measure.

(*b*) I am not in favour of a group election for the reason stated in Answer to question (*f*), Part I.

4. DEPRESSED CLASSES.

These classes are decidedly very backward in education. Unless they obtain education among at least 5 per cent. of the population their direct representative is not desirable. To improve education among them the mercy of the Government is the only source. Free education has been allowed for these classes for another 2 years in the Primary and Secondary schools but this kind of grant is hardly followed by the school authority. I have personal experience that members read on payment of school-fee. This grant should be extended even for higher education and be maintained for another 30 years and after that the question of other direct representation of election can stand on some sound basis. In the meantime the nomination system which is the best way of taking them in the Council should be extended so far as one member of these classes should be nominated from each Division of the Province and care should be taken that the members nominated belong to different castes of only these classes.

5. LABOUR.

Each Labour Union should elect a member of its own.

6. SEAT ALLOCATION.

The number of seats will have to be increased so far as my suggestion for the nomination of the depressed classes and the election of the Labour Union is concerned. I do not agree with communal election as it is of no use for the good of the Province.

7. WOMEN, LABOUR AND DEPRESSED CLASSES.

I have already discussed the labour and the depressed classes representations. In my opinion one seat in each Division should be allotted to the women.

8. GENERAL.

I have nothing to say beyond what I have discussed above.

Babu RAM NARAYAN
Babu SRIDHAR SAMAL } **Representing the Depressed Classes.**

Babu RAM PRASAD, Representing the Dusadh Community.

1. *The Chairman:* Can you tell us something about the organization for which you speak and the community you represent?—*(Babu Sridhar Samal):* I speak for the depressed classes and not on behalf of any organization.

2. There is no organization for depressed classes as such?—No, Sir.

3. Will you give your view as to what castes should be included in the term 'depressed classes'?—There are certain communities in this province who convey poilution by touch. They are not allowed to go into the interior of temples. If they touch any food it is polluted, and the higher castes will not take it. The criterion is pollution by touch and refusal of entry into the interior of temples. On these criteria I have prepared a list of castes who are really depressed classes. In the list which I have prepared, I have included only those classes that are included in the Educational Code. Of course I have included some other castes from the note prepared by the Government for the Simon Commission. In my view there are other castes who may also be included as depressed classes. But it is not possible for me to do so now. We can do it later on.

4. Will you please give me a list of the depressed classes you speak of?—The following are the names of the castes known as the depressed classes:—(1) Bhangi, (2) Dom, (3) Halalkar, (4) Hari, (5) Mehtar, (6) Turi, (7) Ahir-Gaura, (8) Bauri, (9) Ghasuria, (10) Gokha, (11) Kela, (12) Mahuria, (13) Siyal, (14) Chamar, (15) Dhoba, (16) Muchi, (17) Ghasi, (18) Kandra, (19) Pau, (20) Gana, (21) Musahar, (22) Pasi, (23) Sabar, (24) Tiyar, (25) Dusadh. There are other castes such as Baguti, Kodma and Nalia, who should be included, but it is necessry for an enquiry to be made to ascertain what other castes should be included. In my opinion there are many other castes who should be included. A complete list* will be submitted later on.

5. Have you examined the Census with a view to ascertain what is the population which comes under those categories?—So far as the Census figures are concerned, the figures for the important communities only are given therein, but the figures for small or less important communities are not given. So it is not possible to ascertain this population from the Census figures directly.

6. Have you any general figure in your mind as to the number of people included in the term 'depressed classes'?—No. But I may say that I have taken in certain castes who are not included in the Census. So it is very difficult to give any accurate figure.

7. You can give no general figure as to the number of the depressed classes?—I think it is over six millions.

8. Are they generally economically depressed also, apart from suffering certain social disabilities which you mention?—Yes.

9. *Sir John Kerr:* I would like to put a question to Mr. Samal. Do you think the group system would be practicable if separate groups were formed for the depressed classes?—Yes, in my opinion that is the only system applicable to the depressed classes. I again hold that the property qualification should not be lowered in any way because in that case other communities will come into the voters' list, and it will be very difficult to make the voting strength of each community proportionate to its numerical strength.

10. If these people are to be formed into groups, how many are to be put into each group?—On that point our opinion is that we can take

*The list, which was furnished subsequently by the witness, is printed at the end of the witness's evidence.

the strength of each community and decide what will be the percentage of voters in that community. If we decide first of all what will be the voting strength of that community, we can decide the number of the group. For example if the population of any community is hundred and if we decide that they will get ten votes, we can divide the population into groups of ten. That is a matter of calculation.

11. A group of ten would elect one of its number according to your system, would it not?—The members elected by the primary groups will come on to the direct voters' list.

12. What sort of electorates would you propose for the depressed classes? —We must decide first what their voting strength will be, whether it will be proportionate to their population.

13. Do you propose that these depressed classes should form separate electorates?—Oh yes, Sir.

14. From the general electorates they cannot come in?—They cannot come in from the general electorates. That is why we advocate separate electorates.

15. These group representatives would form separate electorates?—Yes, there will be a separate list of depressed class voters.

16. You have a special inspector for the depressed classes to be of help to you, have you not?—He is to look after the education of the depressed classes in the Orissa Division. We have got some special schools for the depressed classes. I myself can pay a visit, as inspector, to the ordinary schools to look after the education of the depressed classes and to decide general questions relating to the depressed classes.

17. What sort of schools are they, primary or secondary?—Only primary schools.

18. How many schools are there in your charge?—They are not directly in my charge. They are under the ordinary inspecting staff. There were something like 147 schools in 1930-31.

19. *Sir Sunder Singh Majithia:* Mr. Samal, the Committee want to know this from you. You have said in your memorandum that there should be 50 members in the Lower Chamber and 30 in the Upper Chamber in the Federal Legislature. That is the number you want to be fixed. Please see 6 (*b*) relating to Federal Legislature. I want to know what you think would be the total strength of these legislatures?—In my opinion there should be double the number suggested, that is, 240 for the Upper Chamber and 400 for the Lower Chamber.

20. Will that be workable as a whole?—Oh yes.

21. You have said further on that Government servants should also be allowed to join the Council through election. Do you think that is sound? Do you mean Government servants in actual service or those who have retired?—I mean Government servants in actual service. This I want for a period of 5 years because we feel that for a period of five years or even two or three years suitable persons from depressed classes may not be forthcoming owing to their poverty-stricken condition, and so they look to Government servants to represent them for a period of five years. Therefore we say that Government servants should be allowed to come through election to represent the depressed classes. That is only a suggestion, and my opinion is that no other person than one belonging to the depressed classes should be allowed to represent them. So Government servants belonging to the depressed classes should be allowed to stand at elections as candidates.

12th Feb. 1932.] Babus RAM NARAYAN, SRIDHAR SAMAL & RAM PRASAD. [*Continued.*

22. You have said, Mr. Ram Narayan, in your statement that the depressed class people do not actually get free education in schools, though there is Government provision made for it. Is it a fact? Yes, Sir, they get no free education.

23. Is that the general rule?—The depressed classes are decidedly very poor and they do not obtain adequate help in money.

24. Don't they get their education free?—No, Sir. Generally they do not get their education free, though there is a circular as regards primary and secondary schools about it.

25. *The Hon'ble Mary Pickford:* You say, Mr. Samal, in your statement under " Extension of the Franchise " that the group system may be practicable and advantageous, subject to some limitations. But again under women's suffrage you state that you do not think that the group system would be practicable in their case. Will you please tell me why?—Because there is the system of purdah, specially in the rural areas. I therefore think that the group system would not be applicable to them. They have to be gathered in a certain place, probably even for four or five villages together. So it will not be possible to group them like that. It will also not be possible for them to be mixed with men if we decided on grouping them with men.

26. Do women of the depressed classes have purdah?—Yes. So at present my suggestion is that only adult males of depressed classes should be grouped.

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27. Please see your answer to question 3 (*a*). There you say that their voting strength should be equal to their population. I do not know what you have in your mind in saying this, considering the fact that you are not in favour of the group system. I think it is based on the fact that women do not own property, is that so?—I do not think it would be possible to make their voting strength equal to their proportion of the population just at present. But my idea is that they may come under the property qualification.

28. Now with reference to the statement put in by Mr. Ram Narayan about the representation of women in the provincial legislature, it is said: " In my opinion one seat in each division should be allotted to women ". May I ask you, Mr. Ram Narayan, how you would arrange that constituency? Would it be right throughout the division, and if so, how would the canvassing of the electorate be arranged? And how would the candidate go to the women and ask for their votes because it would be an enormous constituency?—(The witness did not answer.)

30. *Sir Muhammad Yakub:* Will you kindly tell me what the Hindu Mahasabha has done to elevate your position and what is the result?—(*Babu Sridhar Samal*): I do not think they have done anything.

30. Do you think that the minorities in India can be adequately and satisfactorily represented if adult suffrage is introduced and there are no separate electorates and no reservation of seats?—No. I think separate electorates are essential in the case of the depressed classes.

31. Do you think that separate electorates for the depressed classes would mean that their position will always be considered low by the society?—No. On the other hand, my opinion is that the depressed classes are at present on a lower rung of the ladder; whereas if you give them special electorates and special privileges, it may be possible for them sooner or later to come up to the level of the other communities and meet on equal terms with them. If, however, at present you neglect them, it will never be possible for them to come up to the level of other classes and they will always hate them.

12th Feb. 1932.] Babus RAM NARAYAN, SRIDHAR SAMAL & RAM PRASAD. [*Continued.*

32. *Dr. Ambedkar:* Mr. Samal, you have been an inspector of schools or inspector of education for a long time?—Yes, for four years.

33. I may take it that your duties as inspector have given you a great deal of experience to know which castes are really untouchable in the districts, may I?—Oh yes, at least in the Orissa Division. But I may say that I have got experience of the whole province, though I have special experience of Orissa.

34. Regarding the Census figures, most of the enumerators employed in the Census are really high caste Hindus. Is it not so?—Yes.

35. Is it your experience that the question of the depressed classes has now become more or less a political question on account of the fact that they are asking for special representation?—Yes.

36. And do you think that there is an urgent need felt to reduce the population of the depressed classes in order to reduce their representation?—Yes. I think there is a very strong and well organised attempt in that direction.

37. So, don't you think that the depressed classes will be a minority even if there is adult suffrage in every constituency?—Oh yes. They will be in a minority. That is my experience.

38. And if there was no special provision made in the electoral rules for seeing that they get some representation in the general electorate, there will be no chance for them to get into the legislature?—It is impossible.

39. Do you think that the social prejudice in this province is so small that a great many higher caste people would vote for a depressed class candidate?—My opinion is that the prejudice is very strong in this province, especially in Orissa. And I do not think that there is any reason to believe that a good many of the higher castes would vote for a depressed class candidate.

40. At any rate, in this province, is there any case of an untouchable candidate being returned to the legislature in the reformed councils?—Not by election, only by nomination.

41. I am talking of election.—No, there has been no case.

42. Is there any case in this province where the depressed classes have obtained representation in the local boards apart from nomination?—So far as my knowledge goes, they are not in the local boards or district boards. I mean, there is no elected member from them in these bodies.

43. What is the economic condition of the depressed classes in this province? Are they property-owning classes?—So far as my knowledge goes, they are really a poverty-stricken class, and for this reason they have been exempted from the chaukidari tax in many cases and from payment of fees in schools.

44. Am I right in assuming that in rural parts the depressed class population is to a large extent economically dependent on the higher classes for their living?—Yes.

45. Do you think that the economic power of the higher classes will be utilised in bringing down the depressed classes and putting down their aspirations?—Yes, certainly that will be the case.

46. *Lord Dufferin:* Did I understand you to say that the depressed class women observe purdah?—I do not think they observe purdah generally, but in some cases they observe it.

47. Suppose a group of a hundred is formed which is to elect three candidates as secondary voters. Do you think there is no chance of, say a

dhobi, or some one of the depressed classes, being returned as one of the three candidates?—There is absolutely no chance, unless they are separately grouped.

48. *Mr. Chintamani:* Do you think that the interests of the depressed classes will be served by reservation for them of an adequate number of seats in joint electorates?—No.

49. Why?—Because, firstly, in my opinion the other classes will send their nominees from among the depressed classes who may not be the real representatives of those classes. So there is a wider chance for the man who does not actually represent the depressed classes, to go to the Council. That will not really be to their interest.

50. Do you think there is any conflict of interests between the depressed classes and the other classes?—Oh yes. Because in the matter of Government service, for instance, I may say the Hindus and Muhammadans have monopolised everything, whereas there is not a single depressed class man except one or two represented in the services. So, is it fair that one or two communities should usurp everything whereas the other communities get nothing at all? I am only giving an example. There are so many other matters in which there is a conflict but it is not possible to speak about them all just at present.

51. In your opinion are the depressed classes and other classes of the Hindu society two different communities altogether?—Yes, because there is the bar of untouchability.

52. Is it only on account of untouchability?—And also temple entry and many other things.

53. Can you very briefly give an idea of some of those many other things?—For example there is the question of touch, which I referred to. But I may say the following are the criteria,—pollution, touch and temple entry.

54. It has been suggested to you that there has been an attempt for political reasons to reduce the population of the depressed classes. Is it a fact that from the opposite point of view an attempt has been made to swell the numbers of what are called depressed classes by the inclusion of classes hitherto not included among them?—I do not think so. On the other hand the list we have given is a good and correct list. The Education Department has prepared that list after an enquiry.

55. You are an official?—Yes.

56. You have said that no untouchable candidate has been elected to the Council under the present constitution. In the elections to the Legislative Council up to now were there any candidates of the depressed classes?—No. Even if they stood they would have been defeated. It would have been useless for them to stand. So nobody stood.

57. Therefore you cannot say whether they will be elected or not?—My idea is that they will not be elected. I can say they will not be elected.

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58. *Diwan Bahadur Ramaswami Mudaliyar:* In your statement, Babu Ram Narayan, you are against separate electorates for depressed classes and you advocate direct representation by election after a number of years when education is widely spread among the depressed classes?—I have not mentioned any election. I am in favour of the depressed classes representation being by nomination by the Governor. At present he will decide who is the fit person. We are backward in education.

12th Feb. 1932.] Babus RAM NARAYAN, SRIDHAR SAMAL & RAM PRASAD. [*Concluded.*

59. May I take it that your view is that it will be proper to have no election either by separate or joint electorates for the depressed classes, and you would rather have nomination by the Government?—Yes. That is my view.

60. You suggest that there should be one seat for each division?—Yes.

61. And that it may not be possible to get suitable candidates for such a large area?—Yes.

62. Does the Pasi community here occupy the same position as the Pasi community in the United Provinces?—I have no experience of the Pasis of the United Provinces, but here the Pasis are very much depressed in society.

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63. *Babu Chandreshwar Prashad Narayan Singh:* Babu Sridhar Samal, you have given a list of depressed classes. Are you aware that you have included in it some of the people of the hill tribes?—I have included one tribe 'Kela'. And I can say several others.

64. (*Addressing Babu Ram Prasad*): Do you agree with the answers that have been given by the two other members? Do you regard the Dusadhs as a depressed class?—No.

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List of Depressed Communities in Bihar and Orissa.

(*Furnished by Mr. Sridhar Samal, who tendered evidence as a representative of the Depressed Classes before the Indian Franchise Committee.*)

Name of depressed Communities.	*Area in which they are regarded as depressed.*
1. Chamar, 2. Dhobi, 3. Dom, 4. Hari, 5. Muchi, 6. Savar, 7. Tiyar, 8. Mehtar, 9. Bhangi, 10. Halalkhor, 11. Turi and 12. Ahir-gaura.	Throughout the province
13. Dosadh, 14. Mushahar, 15. Pashi, 16. Bator, 17. Byadha and 18. Jolah (nindh).	Bihar.
19. Bauri, 20. Ghusuria, 21. Gokha, 22. Kela, 23. Mahuria, 24. Siyal, 25. Chamar, 26. Ghasi, 27. Kandra, 28. Pan, 29. Ganda, 30. Nolia, 31. Dhed (domiciled), 32. Mahar (domiciled), 33. Golah, 34. Kudma (In Balasore), 35. Baghuti, 36. Ujia (Balasore), 37. Keshuria (Balasore), 38. Khadala (Balasore), 39. Sayar and 40. Bettra.	Orissa.

Mr. K. N. BHATTACHARJEE, Representing Labour.

1. *The Chairman:* Whom do you represent?—I am not representing any one in particular. Of course, I am connected with the Indian Collieries Employees' Association. But I am not here with any mandate from that association.

2. Do you represent Jamshedpur?—I am only connected with the colliery district and colliery labourers.

3. Can you tell us anything about the condition of the industrial labour in Jamshedpur?—My knowledge is confined only to the coal-fields and mining labourers.

4. Are there any organized labour unions, trade unions, among the labourers with whom you are acquainted?—There is one organised labour union. It is not registered under the Trade Unions Act, but it is an organization which claims a membership of about 3,000. There is in it clerical labour as well as the actual mining labour.

5. Does it include the whole of the labour force in that area?—No. The total labour strength of the coal-field area is much more than is represented in that union.

6. What proportion does that union bear to the total labour?—The total labour strength would be between 80,000 to 90,000. The association covers practically the whole of the Jheria fields and the Raniganj fields.

7. Has labour as such got any representation in the existing legislature?—There is one labour representative in the existing Council but he is nominated by the Government.

8. If the electorate were extended, say, it became ten times as numerous, do you think labour will get sufficient representation?—I am not sure whether the position of labour would be affected if you widened the franchise. My reasons are these. In the industrial area labour has got absolutely no property qualification. They do not pay any tax and the payment of the chaukidari tax is one of the qualifications. In the colliery area the colliery employees themselves do not pay any chaukidari tax. So, with the extension of the franchise qualification to that, I am afraid, they won't get any benefit.

9. Have you given any consideration to the scheme of indirect election taking in the whole adult population or, at any rate, the whole adult male population?—I have thought of it.

10. Supposing you have got a system of that kind in which everybody has got a vote as a secondary elector, do you think that will give considerable representation to labour?—So far as I am concerned, I am not in favour of that sort of election, because I consider that in that case the educative value of the election will be nothing. I think there will be more scope for corruption in a system of voting by groups, and in the villages the other people, not labour, will guide the whole show.

11. Then in what way do you propose that labour should secure adequate representation?—My idea is that in the case of labour, literacy qualification may be made one of the tests. Even then I think it will hardly come up to 5 per cent. of the total force. Then they may be given the franchise on the basis of some minimum wage. If they honestly earn their livelihood and earn certain wages within a limited period of one year they may be given the franchise. That is the test that I should propose in the case of labour.

12. *Sir John Kerr:* What is your position in the Bihar coal-fields?—I am a lawyer there.

13. And where do you practise?—At Dhanbad.

14. And what part have you played in organizing this association?—I am a member of the Executive Committee of the Indian Colliery Employees Association and I have been in that association for about 7 years.

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15. *Lord Dufferin:* Is your body a registered body?—It is not yet registered. It is proposed to get it registered under the Trade Unions Act.

16. How long has it been in existence? It has been in existence for the last 10 or 12 years.

17. Do you consider that Trade Unions would be the best method of representing labour in the legislature?—There is one side of the matter which deters me from favouring election through the registered trade unions. I

am afraid that in that case trade unions might be tempted to deviate from their proper duties and busy themselves with elections.

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18. *Khan Bahadur Aziz-ul-Huque:* Generally speaking, labour is confined to a fixed few areas in this province. It is not scattered?—Industrial labour is confined to a few areas.

19. And it would be quite possible for it to have an electorate of its own for the purpose of special representation, if necessary?—I think, that will be possible.

20. Do you think that there are any unions of labourers which are not recognised and registered yet?—I think so.

21. What are the reasons?—Some of these unions, I think, are contemplating getting themselves registered under the provisions of the Trade Unions Act which was passed only a few years back.

22. But, is there any difficulty, is there any reason why there is such shyness, why these unions are not recognised even when they have been in existence for a long period?—I don't think they are particularly shy about getting themselves registered. I think they are gradually appreciating the value of getting themselves registered.

23. *Major Milner:* Is it true to say that hitherto both in this province and in the whole of the country industrial labour has been grossly underrepresented as compared with employers?—Yes.

24. Are there quite a number of reasons why industrial labour should have special representation?—I think industrial labour should get proper representation.

25. What reasons, in your opinion, justify that?—I think labour will gradually occupy a prominent place in the body politic and for the adjustment of the social relations and for the preservation of social harmony it is necessary that it should be given proper representation.

26. Are there quite a number of reasons, especially the attitude of the employers, which have prevented the trade unions from growing to a very considerable strength?—Yes, the employers do not, as a matter of fact, favour the growth and development of any unions and wherever there have been those unions the employers' attitude has been a considerable difficulty in their way.

27. Though the employers always favour and encourage the formation of employers' organizations.—Yes, they favour that.

28. And discourage the formation of employees organizations.—Yes.

29. Do you not favour the representation of organized labour by giving some form of special vote or representation to unions as representing organized labour?—As I have already explained in answer to a question, what deters me from favouring representation through registered trade unions is the fact that it might lead the associations astray from their proper duties and might create the habit of quarrelling amongst themselves.

30. But while the employers have special representation, do you not think that the trade unions ought to have their special representation?—Of course, I fully agree with that. If special representation is to be given in the case of employers then of course in the case of labour also it may be given. But I have already explained that I am not in favour of any special representation.

31. By that you mean that it ought to be given to the employees?—Yes.

32. On the matter of registration, would you agree that it is better that the trade unions should be registered under some appropriate Government Department?—Yes.

33. If they are given a special vote will that not encourage them to register?—I agree that unions should be registered.

34. Do you not think that giving special representation would encourage them to register?—If special representation is given to the unions, it will be an inducement to the trade unions to get themselves registered.

35. And to put them in proper order?—I think that would be so.

36. *Sir Zulfiqar Ali Khan:* Could you give us an idea as to how many organizations of industrial labourers exist in this province?—So far as I am aware, there is the Tatas at Jamshedpur, there is one at Jheria and there is also the railway labour organization at another station.

37. Is there any tendency among them to combine?—I think there is a tendency to combination. Already there is the All-India Trade Union Congress and the All-India Trade Union Federation which is the central body, with whom the different unions are affiliated, and so far as I am aware in Bengal there is the Provincial Federation with which are affiliated the different unions in the province, and it is under contemplation in this province to form an organization to which the different unions of the province will be affiliated.

38. Can you tell me from your experience of the industrial labourer, whether you expect him to be more intelligent than the ordinary farm labourer?—I should think that the industrial labourer is more intelligent than the country labourer.

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Memorandum submitted by the BIHAR PLANTERS' ASSOCIATION, Limited, Motihari.

In giving the following answers to the Franchise Committee Questionnaire we are assuming that there will be a second chamber in the Province, which we consider to be essential.

I.—PROVINCIAL LEGISLATURES.

(*a*) By extending the practice to persons paying the requisite amount of Chaukidari Tax.

(*b*) & (*c*) No.

(*d*) By the group system as suggested in 1.

(*f*) Yes. The groups should consist of 50, or more, who would elect a representative who would vote in the same constituencies as the directly qualified voters.

We consider this system would be feasible and advantageous in the rural villages with which we are acquainted.

(*g*) Yes.

2. FRANCHISE QUALIFICATIONS.

(*b*) The communal electorates should be retained in accordance with numbers so far as is practicable with representation for special interests.

(*c*), (*d*) & (*e*) Yes.

4. REPRESENTATION OF THE DEPRESSED CLASSES.

We do not consider that the depressed classes are likely to secure representation in general electorates. They should be given reserved seats.

Memorandum by the BIHAR PLANTER'S ASSOCIATION, Limited, Motihari. [*Continued.*

5. REPRESENTATION OF LABOUR.

We consider that the widening of the basis of suffrage would provide adequate representation for labour except perhaps at Jamshedpur where there is foreign resident labour who pay no taxes.

Mr. E. DANBY, representing the Bihar Planters' Association.

1. *The Chairman:* You have sent in written answers to the questionnaire. Would you explain them a bit?—I am the Chairman of the Bihar Planters' Association, and though our numbers are not very large yet we represent a big stake and a big interest in the province. We have sixty-eight members and we represent 32 large agricultural estates and six sugar mills. We have one representative in the Legislative Council.

2. By nomination or by election?—By election.

3. How do you elect?—Ours has not been a contested election at all. Every estate has got one vote.

4. Is it a statutory right?—Yes.

5. Can any man claim to have a vote in your association?—Yes. We had very little time to answer the questionnaire in detail. We understood that 10 per cent. increase in the franchise was the minimum contemplated and that is why we recommended that the indirect system should be introduced together with the direct system. We do not think it possible to disfranchise people who already have the vote.

6. You are in favour of a combined direct and indirect system?—Yes. We made that statement only on the assumption that the franchise would be increased to ten per cent. of the population. Otherwise we were in favour of only extending the franchise so as to bring in voters that could be brought in by the direct method.

7. What percentage of population would that be?—We are not opposed to the ultimate goal of universal suffrage. With regard to the group system we thought that the group should be larger than that suggested in the questionnaire and we further thought that they should elect more than one representative. This would enable each group to elect people representing two castes and interests.

8. Have you considered the question of election by group system?—It could be done, we thought, informally in the village, not by ballot but by show of hands. But it will be necessary to have a Government Officer in charge of primary elections. We consider that a second chamber in the province would be absolutely essential in the first stages, at any rate, in order to provide a stable government.

9. On what basis do you think it should be constituted?—We should have the same qualification, as at present exists for the Council of State, for franchise to the second chamber. As regards special representation we are also landlords and we think that the landlords are at a very great disadvantage at the present time when the tenant vote greatly exceeds the landlord vote. The lowering of the franchise would further increase the tenants' votes. Considering the friction that exists between the landlord and the tenant, this would give a great advantage to a candidate opposing a landholder by promising the tenants that he will get their grievances remedied and so on. The landlord is at a great disadvantage. Dr. Ambedkar yesterday pointed out that representatives had to be nominated to the local Councils to represent tenants. The reason for that, I may say, is that the

Congress party at the last elections did not enter the field. That was the reason why there were more landholders elected to the last council than could be otherwise expected.

10. Is there any other point which you wish to mention?—Although we are landholders, our interests are rather different from those of other communities. Our estates measure about 500 to 1,000 acres each and are under our direct cultivation. The bigger Indian landholders do not as a rule cultivate their lands and so we are in much closer touch with our tenants than the bigger Indian landholders who very seldom visit their villages. We inspect our villages almost every day.

11. *Sir Muhammad Yakub:* What, in your opinion, would be the better method—the direct system or the indirect system?—The direct method of election would be better if it is possible to have it; but if it is not possible, we would not oppose the indirect method.

12. Don't you think that there would be a great deal of resentment and agitation among those who have at present got the right to vote, if they lose that right on account of the introduction of the indirect system?—That is why we suggest that both the systems should be introduced.

13. *The Hon'ble Mary Pickford:* Would you put men and women in the same group?—Yes, in the villages.

14. Do you think that that system would produce any secondary women voters?—I doubt if any woman will be elected at first, but they will all go to vote in the villages.

15. *Mr. Butler:* If there are two Chambers would you have representation in both?—Yes, because if we have no representation in the lower Chamber our point of view would not be voiced there.

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16. *Diwan Bahadur Ramaswami Mudaliyar:* I understand that the Planters' Association is a European body?—Yes.

17. If the number of seats for Europeans as a community is increased, you would still require a separate seat for the planters?—Yes, because our interests are quite different from the interests of the other Europeans in the province.

18. You would not expect the other Europeans to represent your interests? —No. They would not understand our interests. Our interests are quite different.

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Memorandum submitted by Mr. SACHCHIDANANDA SINHA, M.L.C.

PRELIMINARY OBSERVATIONS.

I am profoundly grateful to the Chairman and the members of the All-India Franchise Committee for their so kindly extending to me an invitation to express my views on some of the important questions relating to " the franchise to be adopted for the provincial and central legislatures ". The object of the Committee in investigating these questions is, I take it, to work out " a practical programme " for a further instalment of political reforms both in the provincial and the central governments. And it may be assumed that the intention of the British Government in conceding to the people of India a substantial measure of political reforms is to make them contented, prosperous and happy. The problem, therefore, is to devise such a system of franchise

Memorandum by Mr. SACHCHIDANANDA SINHA. [*Continued.*

as will, in its working, conduce to the contentment, prosperity and happiness of the people of this country, while at the same time, it will lead to the formation of a sound and stable government.

I have long held the view that the existing discontent in the country, with the system of government which obtains at present, is not solely due to the absence of any real power conferred under the present constitution upon the people's representatives—even in the provinces under dyarchy—but also to no small extent to the highly defective method for the exercise of the system of franchise in force, which has had the inevitable effect of dividing the people into religious, racial and economic groups, and thereby accentuating and intensifying the already existing divisions amongst the people of this country. In view of it, I am strongly of opinion that no political reform can be regarded as of any value, which would but serve to stereotype the existing religious, racial and economic divisions, since the one inevitable result of such accentuation is bound to be bitterness, acerbity and strife amongst the various groups and sections, a state of affairs which needs must render the work of the administration extremely difficult, if not almost impossible. I would, therefore, respectfully suggest that in devising the system of franchise for the coming reforms, nothing should be done which may be at all calculated to perpetuate—much less to aggravate—the subsisting divisions amongst the people of India. On the other hand, if I may venture to say so, a serious effort should now be made to so devise the system of franchise that it may enable the various castes, sub-castes, ranks, sections, classes and communities to exercise their electoral rights not as belonging to but small groups or circles, bringing to bear upon it a narrow mental outlook, but as citizens of a great commonwealth actuated by a strong patriotic impulse to live and work as Indians, in the larger interest of the country, as a whole.

If this view of the object of conceding political reforms to the people of this country may be assumed to be correct, then the system of franchise should be so devised that it may help to weld the various castes, sub-castes, ranks, classes, sections and communities into one homogeneous whole, so far as the work of administration is concerned, and the extent to which it will so help the coalescence of the Indian people into one nation should be regarded as the true test of the success of the new system. On the contrary, if the result of the new reforms is but to give mere representation in the legislatures to the various existing divisions or groups, without any attempt to bring about their fusion for administrative and legislative purposes, in the higher interests of the country, then the political concessions will have failed to achieve their object. It cannot be denied that not only the task of administration has been rendered extremely difficult, during the last decade, as the result of the tension due to the present system of franchise, but there has resulted from it much misery to the people and it has also caused considerable anxiety to Government. It should, therefore, be the primary object of the forthcoming reforms to check the further growth of centrifugal forces and to divert them into centripetal channels. As my replies to the various questions in the questionnaire are given from the point of view indicated above, I have thought it desirable to state clearly the standpoint itself, with a view to enable the Committee to appreciate them.

I.—PROVINCIAL LEGISLATURES.

1. EXTENSION OF FRANCHISE.

(*a*) The means I would suggest by which the existing franchise for the provincial legislatures can be extended to ten per cent. of the population are (1) making the property qualification sufficiently low, and (2) introducing either a literacy test or a low standard of educational test, such as reading up to the upper primary standard.

Memorandum by Mr. SACHCHIDANANDA SINHA. [*Continued.*

(*b*) I think an electorate constituted on such lines will be capable of casting an intelligent vote; at any rate, about as much as now. They will certainly know for whom they want to vote and why.

(*c*) There seems to me no reason why such an extended electorate should not be administratively manageable for the preparation, maintenance and revision of the electoral rolls, and for the recording and the counting of votes. I do not think there should be much difficulty in inducing non-official agency, composed specially of retired Government servants, to take up the work.

(*d*) Already answered as above.

(*e*) The further extension of the electorate is no doubt desirable, but scarcely practicable at present.

(*f*) The question raised in clause (*f*), namely of direct and indirect voting, by means of primary and secondary groups, is one on which much can be said on both sides. But, on a careful consideration of the matter, I am of opinion that the balance of advantage lies in favour of direct voting and against indirect voting. The introduction of the latter system, either in whole or in part, is likely to complicate matters, making elections to the provincial legislature a protracted business, extending over a longer time than by means of direct voting, which is likely to render it unpopular. Apart from that, it does not seem to me to possess any special advantage in the matter of training the primary voter, who may possess no qualification, either of that of property or education. Such a system will not establish any direct relation between him and the candidate for the provincial legislature, and will not thus develop in him a sense of responsibility. Perhaps, its only advantage will be to benefit the candidate with the longer purse as against that of average means. If, however, it is considered desirable to try the system of indirect election as an experiment, I would be, in that case, wholly against any groupings based on mere consideration of caste or community. I would favour the groups to be composed of residents of territorial areas, each such group to comprise all the persons living in a territorial area.

(*g*) If for the reasons stated in the foregoing paragraph I am not in favour of the introduction of the suggested group system, I am still more against the proposal that in the event of separate constituencies being framed for group electors, only group electors should be allowed to stand as candidates for such constituencies, and not others who may be duly qualified.

2. FRANCHISE QUALIFICATIONS.

(*a*) I believe that in this province there is a disparity in the franchise qualifications in urban as compared with rural areas. I am in favour of removing or rectifying such disparities by introducing a uniform standard in both urban and rural areas, so far as it may be possible.

(*b*) Assuming that communal electorates of some sort are to be retained, I am of opinion that, so far as possible, each community (as opposed to castes or sub-castes) should be given a voting strength proportionate to its numbers, and I would lower the franchise for this purpose with a view to bring about the desired result.

(*c*) Until such time as India can have adult franchise, the possession of property, apart from education, is a suitable test of fitness for the franchise. As the object of the present enquiry is to increase the number of voters appreciably, I would lower the property qualification so far as possible to obtain the desired results.

(*d*) I am in favour of introducing a qualification test of education, independent of property, and (as stated above) I would fix the reading up to the upper primary standard as the test of educational fitness.

(*e*) I am not in favour of retaining the existing military service qualification, but if it is going to be retained, I would certainly include in it service in the auxiliary and territorial forces.

Memorandum by Mr. SACHCHIDANANDA SINHA. [*Continued.*

3. WOMEN'S SUFFRAGE.

(*a*) I am strongly in favour of enfranchising women, so far as it may be practicable, at present, and with that object, I would accept the proposal of the Statutory Commission that the wives and widows of the men entitled to vote under the property qualification should be enfranchised, and that in addition, the educational qualification should apply to women as well as to men. I would fix the age limit for women uniformly at 21, instead of making a discrimination as suggested by the Statutory Commission between the two classes of voters. I would favour the increase in women's electorate to the extent that the adoption of the suggestions made above will lead to.

(*b*) In the event of a system of group representation being established, I would not favour the formation of separate groups for women alone. I would constitute groups composed of both men and women.

4. REPRESENTATION OF DEPRESSED CLASSES.

While it will not be correct to say that there is absolutely no depressed classes problem in this province, it is none-the-less true (as recorded by the Indian Statutory Commission in paragraph 54 of Volume I of their report) that "in Bihar and Orissa although there are large numbers belonging to untouchable castes, in general they do not seem to suffer so universally or so severely as in the South". Again in paragraph 58, the Commission recorded their views on this subject as follows: "So far as Madras, Bombay and the Central Provinces are concerned, there is not likely to be much dispute as to which are the untouchable castes, and no really material differences exist in the various calculations made. But it is otherwise in the case of Bengal, the United Provinces, and Bihar and Orissa. In these three provinces the connection between theoretical untouchability and practical disability is less close and a special investigation might show that the number of those who are denied equal rights in the matter of schools, water and the like is less than the total given for the depressed classes in those areas". The Commission discussed (in paragraph 79, Volume II of their report) the question whether the depressed classes should have separate electorates, and recorded their view on this question as follows: "We are averse from stereotyping the differences between the depressed classes and the remainder of the Hindus by such a step which we consider would introduce a new and serious bar to their ultimate political amalgamation with others. Such a course would be all the more difficult to justify in those provinces where the breaking down of barriers has advanced furthest. If separate electorates have to be maintained for certain classes which have already secured them, there is no reason for bringing other cases within this mode of treatment, if it can be avoided. A separate electorate for depressed classes means, as a preliminary, a precise definition of all who are covered by the term, and the boundary would be in some cases difficult to draw. It means stigmatising each individual voter in the list, and militates against the process which is already beginning, and which needs to be in every way encouraged—that of helping those who are depressed to rise in the social and economic scale". These grounds seem to me to be conclusive against the introduction of separate electorates for the depressed classes, but I am strongly in favour of giving them not merely adequate but liberal representation by reservation of a certain number of seats for them through joint electorates.

5. REPRESENTATION OF LABOUR.

The only industrial centre in this province, which is of sufficient importance to be taken into consideration in the matter of the representation of labour, is Jamshedpur in the Singhbhum district. I am not sufficiently in touch with the local conditions of that place, but I think, it would be quite

Memorandum by Mr. SACHCHIDANANDA SINHA. [*Continued.*

practicable to give adequate representation to labour at that place through registered Trade Unions. I am totally opposed to the introduction of considerations of community or caste in the representation of labour.

6. THE FEDERAL LEGISLATURE.

I am in favour of the proposal of the Federal Structure Committee that the representatives of the British Indian provinces in the upper chamber of the federal legislature should be elected by the provincial legislature by the single transferable vote. As regards the franchise for the lower chamber of the federal legislature, I think the standard for it should be higher than that for the provincial legislature. The present property qualification for election to the Assembly should, in my opinion, be so lowered as to increase the electorate for the Legislative Assembly as to enfranchise about five per cent. of the population. The constituencies for the Assembly in this province are even at present very large areas, composed of from two to three districts and in certain cases, of two or more commissionerships. I am in favour of reducing the territorial areas, and with this object I would rather increase, so far as practicable, the number of seats in the lower Federal Chamber, with a view to give adequate representation to the province, that support indirect election for the purpose, for reasons given by me above.

7. REPRESENTATION OF WOMEN, LABOUR AND DEPRESSED CLASSES.

I am certainly in favour of the proper representation of women, labour and depressed classes in the Federal Legislature, but it is not possible for me to suggest any details of a practicable scheme for want of time.

8. GENERAL.

I am utterly opposed to a second chamber in the province. Bihar is a very poor province where a bi-cameral legislature will be a needless luxury. Besides, it is very likely to hamper attempts at progressive legislation designed for the benefit of the people as a whole, to strengthen vested interests and thereby to increase discontent. Indeed I may go as far as to say that the value of provincial autonomy will be appreciably discounted if it is to be accompanied by the establishment of a second chamber representative of the privileged classes.

In expressing this view I am glad to find that I do not stand alone, but that I am rather supported by such weighty opinion as that of the Governor-in-Council of this province, and also by one of the ministers (the Hon'ble Sir Mohammad Fakhruddin), who has occupied this office since the time of the introduction of the Montagu-Chelmsford Reforms; and also by three members of the present Provincial Franchise Committee, who recorded their views on this subject as members of the Provincial Committee co-operating with Indian Statutory Commission, namely Mr. Athar Hussain, Moulvi Mobarak Ali Saheb and Rai Bahadur Sarat Chandra Roy. The views of the Governor-in-Council on the subject are to be found recorded in the memorandum placed before the Statutory Commission. They are as follows: "The objections to the proposal are first its expense, it would cost about 1½ lakhs recurring; secondly, the difficulty of obtaining an electorate, for if such a Chamber were very largely nominated it would be unpopular and thirdly, the fact that the constitution of the Chamber would increase the defects in the Council, which it is intended to correct. If there were a second Chamber, the conservative interests would naturally be represented there and their representation in the Council must be lessened, *e.g.*, it would not be possible to give the landholders' interest double representation by increasing their number in the Council as proposed above, and electing or nominating them to the Chamber. If they go to the Chamber, and it would be almost impossible to constitute the Chamber without them, their numbers on the Council must be diminished

and this will seriously affect the composition of the Council; this holds good also with regard to the representatives of other substantial interests. In view of the very limited effect of the constitution of a second Chamber over the action of the Council, Government consider that the result would not be worth the disadvantages". I need not lengthen this statement by making other long extracts but I may be permitted to extract the following short passages from the minutes of the Hon'ble the Education Minister, and from those of the three members of the present Franchise Committee.

A. *Sir Mohammad Fakhruddin*:—"My own view is that the provincial legislature should continue to be uni-cameral.....It will seem the second Chamber in the province would not serve the real object of balance-wheel and the work that would be assigned with regard to few provincial legislation could not justify the expenditure involved in its establishment".

Rai Bahadur Sarat Chandra Roy:—"In my opinion the creation of a second Chamber for the province is neither desirable on policy nor expedient on financial and other grounds".

PATNA.

Dated 13th February, 1932.

PRESENT:

ALL MEMBERS OF THE INDIAN FRANCHISE COMMITTEE AND THE BIHAR AND ORISSA PROVINCIAL FRANCHISE COMMITTEE. (SIR ERNEST BENNETT ATTENDED FOR SOME TIME DURING THE AFTERNOON).

Mr. SACHCHIDANANDA SINHA, M.L.C., *Ex*-Member of the Executive Council, Bihar and Orissa.

1. *The Chairman:* Mr. Sinha, you come here perhaps in your personal capacity; you are not representing any association?—That is so, Sir.

2. In your preliminary observations* you give the general point of view from which you approach the question. You understand, of course, that this Committee is not authorised to deal with the communal question as such. The communal question at this moment is under the consideration of a special Sub-Committee and awaits the decision of His Majesty's Government. Therefore no discussion of the communal question is involved in the deliberations of this Committee.—If the communal question is beyond the purview of your Committee, then any remarks I have made in my statement on that question will, of course, have no bearing on the particular questions to be considered by this Committee. May I be permitted to say that by communal question I understand what we familiarly call in this country, the Hindu-Muslim question.

3. I do not propose to examine you on your preliminary statement. We will discuss the answers to the questionnaire. Your answers are very clear, and so I do not think it is necessary for me to ask any detailed questions. You prefer the enfranchisement of about ten per cent. or rather more as is practicable by the system of direct voting. Is it not so?—Quite so. I am not averse to the proportion being raised if it is possible to enfranchise a larger number of people in this province. But at the present moment that is as far as we can go in the matter of enfranchisement.

4. You understand that the system of responsible government means the control of the executive, taxation, and so on, being passed on to the representatives of the electorate. Now, how do you propose, under the system of enfranchising ten per cent. by direct voting that the other 90 per cent. should have a say either in the legislature or in the taxation levied upon them?—That 90 per cent. must wait as the 100 per cent. have waited so far, till they have better education or till their status rises, and they learn by experience in elections and so on.

5. You see no particular objection to entrusting this power to ten per cent. of the population?—I see none because I have reasons to believe that the ten per cent. will exercise their franchise not only in their own interests but in the interests of the population at large.

6. Have you studied the working of the democratic institutions in your country, and is it on such study that you are making that statement?—I

* Page 230.

have studied and have experience of democratic institutions, for the last 40 years. My study and experience not only relate to this country but also to England and other countries of Europe and America.

7. Did you see any country being ruled by an enfranchised minority in its own interests, which is most deplorable?—I dare say it is so. No human system is perfect. Democracy also entails some hardship on the unenfranchised classes, I admit.

8. As suggested by the Round Table Conference, would it be practicable to have an indirect system whereby in addition to, say, 10 per cent., who are directly enfranchised, every adult could be given the same say or a larger say (than the directly enfranchised citiens)?—Theoretically there may be no objection to that, but I foresee many practical difficulties in the way of giving effect to that scheme; some of these difficulties I have tried to indicate in my note. For one thing, if I may say so, the Provincial Governments should consider whether they will be able to manage as things are. I understand they are fighting shy of working the Reforms scheme on a population basis with an electorate of ten per cent., and if you have adult suffrage I do not suppose our provincial Governments, as now constituted, particularly in this province, will be able to manage it at all or work it out. That is only one objection to it. There are several others also which I have briefly indicated, and which, if you ask me to explain further, I shall be glad to do.

9. Turning to your answers on women's suffrage, you say that the group system would not be feasible for women and that you do not favour the formation of separate groups for women alone. On your ten per cent. system it is quite clear that very few women would actually get on the roll, is it not so?—If, as is recommended by the Statutory Commission, the wives and widows of all eligible persons who pay taxes are enfranchised, then I think the number will be fairly large. In this province I may say the number would be large.

10. Would you enfranchise women on the property qualification as far as possible?—Yes, I said so, I think.

11. Then turning to the depressed classes you say 'I am strongly in favour of giving them not merely adequate but liberal representation by reservation of a certain number of seats for them through joint electorates'. Would you reserve seats in proportion to their population?—Not necessarily in proportion to their population but certainly more than sufficient to enable them to express their grievances and their views and sentiments in the legislature.

12. Turning to the Federal legislature, do you think it will be satisfactory and sufficient to enfranchise only 5 per cent.?—I think it will be sufficient in this province if you enfranchise 5 per cent. for the Federal Legislature. The whole difficulty is in the largeness of the areas. I once represented in the Assembly a constituency in this Province composed of two large districts, Shahabad and Patna. So I have some experience of this, and I think that unless our provinces are reduced appreciably it will be difficult to work out a scheme which will be satisfactory to all.

13. Were you in practice able to get into touch with so large a constituency as that?—No. It is impossible.

14. Coming to the second chamber, one of the objects of such a legislature is to obtain enough men of administrative and business experience generally to make competent Ministers and a competent opposition. Do you think the direct election system alone will produce enough of them or ought it to be supplemented either by a system of co-option by the legislature or by bringing in a certain number of members by proportional representation. Do you see any advantage in a second chamber from that point of view, as increasing the number of people who will be competent Ministers and who

can be drawn upon in forming a competent opposition?—You put me a very long question, and I shall try to answer it as briefly as I can. My view is that in this country there are available various peoples or classes just as we have in European countries from whom we can draw representatives in the legislatures, both upper and lower. We find here in practice that in the Central Legislature, in the Council of State and the Assembly, there are the same men from time to time, the same type of men, the same class of men. I was myself in the Assembly in the second election, and also in the third election. Therefore, I think it will be doubling the machinery of Government with no substantial advantage to the country if there are two chambers. While I am not opposed to a second chamber for the Central Legislature, in the Provincial Legislatures, especially in a province like Bihar and Orissa, it will be a useless expenditure and a waste of money.

15. You do not think that as you extend the election system, and as electioneering becomes wider, it will exclude from the elections a certain number of men of experience and ability whose presence will be desirable in the councils? Do you see any strong objection to such men finding their way by co-option to a second chamber into the legislature?—My experience is that in this country you have always a certain number of people,—and their number is increasing—who have got even now a great attraction for these representative bodies. Everybody rushes to come in contact with officialdom in this country through the medium of district boards, local boards, municipal boards, councils and so on. And I do not think that in the future any time will come when any set of people would really be debarred from entering the council of the province whose presence may be required and should be secured through the medium of the second chamber.

16. *Sir John Kerr:* One of your objections to the group system is the difficulty of making administrative arrangements for organising group elections, is it not?—That is what occurred to me.

17. That difficulty, I suppose, might be got over by an increase of staff? —It can certainly be got over by a more extensive organisation of Government machinery. But all that will impose additional expenditure of money, and I am constantly keeping in view the financial condition of this province, which is very unsatisfactory indeed.

18. In view of the importance of the franchise and the extension of electorates in the future, would you not consider it justifiable to incur some additional expenditure in order to give more power to the people?—I would be willing to incur any excess expenditure to any extent on any scheme the prospects of the success of which are fairly assured. But this group system which you are now considering with a view to introduction in this province, is after all, so far as our experience goes, a very new system and nobody can safely predict as to how the experiment will work. Therefore it seems to me that to incur expenditure on an institution which may not prove a success will be taking a great risk especially in a province like Bihar and Orissa. That is the way I look at it.

19. *Sir Sunder Singh Majithia:* Do you think that the increased number of people who would get on the electoral roll, would make it possible for the candidate to approach them easily?—Under the indirect system you will have to approach two sets of people; that is very much more difficult. I have personal experience of it. 25 years ago I came forward to contest a seat in the Bengal Council from the district boards and municipalities from the then Patna Division which then included the division called Tirhut. Then an indrect system was in force. Each local body was to elect one or two representatives. All such representatives had again to elect one representative to the legislature. So, in my case, it meant canvassing not only the individual members of the boards, each having 30 or 35 at that time, but again canvassing the representatives elected by them. That entailed on me greater hardship

than I have had to incur in canvassing only one set of voters. Therefore I foresee that if you have this double system of primary and secondary voters, it will entail much greater hardship upon the candidates, and it will be giving adventitious advantage to the man with the long purse.

20. But surely the panchayat system which is working in this province has given the people of this province an idea as to the working of the group system?—There is no panchayat system working in this province to my knowledge and belief. So far as I am aware I do not think there is any such system.

21. Is there no panchayat system working here, the system of people electing their panch according to the Panchayat Act?—They are ordinarily nominated, not elected.

22. Will it not be possible to evolve a group system by extending that panchayat system?—The panchayat system may be a very good medium for training the people in the exercise of the right of franchise for district boards or sub-divisional boards. To adopt it on a smaller scale and ask those people to choose representatives for the provincial legislatures, does not appear to me to be the correct solution of the difficulty.

23. But you are not taking into consideration the fact that they are not choosing candidates for the council but they are choosing an electing body. —I quite understand that. That is exactly why I object to it. Why complicate matters? Make the tax qualification as low as possible, and let those who are so qualified have a direct vote. Why choose an elector of the second degree? I do not see any appreciable advantage in it. It makes it more difficult for the candidate to canvass and for the Government to administer. So there is no substantial good in that.

24. *The Hon'ble Mary Pickford:* You say under the head "Women's suffrage" that in the event of such a system being established, you would not favour the formation of separate groups for women but would prefer mixed groups of men and women. Will you kindly tell us your reasons for that opinion?—The broad reason, if I may say so, is that on principle I am against the division or separation of the people of India whether on the ground of class or religion or sex. That is a theory, no doubt. But the advantage to my mind is this. As a social reformer, which I claim to be, rightly or wrongly, I think there is a great advantage in associating women in voting with men. Otherwise if they are confined in their homes, the purdah system will remain for ever in this country. There would be no impetus for women to come forward and vote. And they will remain for ever in the same condition in which they are now. Therefore the only way to encourage them is to encourage them to vote with men.

25. Do you think that in a mixed group of men and women it would be likely that there would be many or any women secondary electors?—They may not succeed in being returned, but they will be able to exercise a very wholesome influence at the very beginning and in course of time they will also be returned and in appreciably larger numbers as they prove themselves fit for representing the people of their particular locality in the Council.

26. Do you think that at present there would not be many who would be fit to be candidates?—There may be several who may be fit to stand, and the consciousness of our people has been so much roused in favour of the women's movement in recent years that I am sure that if a woman comes forward to contest a constituency and proves her fitness, she will be returned.

27. *Mrs. Subbarayan:* As the purdah system is so strong in this province, don't you think it is a big step for women to take to voting with men? Would it not be better to group them separately at least for a

temporary period to encourage them to come to the poll?—The purdah in this province is no doubt fairly strong in towns, but fortunately is not so hard and fast in villages. But the women of the lower classes who form the bulk of the female population of this province do not observe the purdah system rigorously. We are carried away in this particular matter by the practice of the higher classes. Therefore I think that if ten per cent. of the people are enfranchised, there will be a fair number of women who can take part in elections.

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28. *Sir Muhammad Yakub:* In your statement you say "It cannot be denied that not only the task of administration has been rendered extremely difficult, during the last decade as the result of the tension due to the present system of franchise . . . . .". The chief characteristic of the present scheme being the extension of the franchise, do you think that this unfortunate state of affairs to which you refer, is due to the extension of franchise?—Not the extension of the franchise. I fear I have been misunderstood by you. I do not say that the trouble is due to the extension of franchise, but is due in my opinion to the wrong method adopted in conferring the right to exercise the vote on the people. I was not permitted to go into that question by the Chairman, because it was beyond the purview of this Committee. I am therefore obliged to you for your question as it has enabled me to make my position clear.

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29. *Mr. Miller:* Could you tell me who are considered to be the untouchable castes in this province?—It is a very difficult question to answer. It depends upon each man's view of it. So far as I am concerned, I would say roughly that the people who deal in leather goods, Chamars, a caste called Doms, a caste called Dusadhs, the sweepers or the Mehtars, and perhaps one or two others are the most prominent classes among them. But it is very difficult to say. For instance, I have seen in a Government report, the census report, a list given and in that I find that a class of people called Kalwars or Kalals are also shown as depressed. That is not so. Here they occupy a most important position. They are the leaders of the Hindu community. I can mention names. Raja Raghunandan Prasad Singh and his nephew Raja Deoki Nandan Prasad, and Mr. Dip Narayan Singh are prominent leaders. Another prominent gentleman of the same class is Mr. Jaiswal—a Minister in the Central Provinces. It is a matter of opinion. But those castes that I have mentioned are certainly depressed classes; there is no doubt about that.

30. *Mr. Tambe:* You think that the group system would disturb the harmony of the village?—The harmony of the village is bound to be disturbed more or less if the western system of democracy is introduced. But in my opinion, that system would complicate matters still further.

31. And if election by castes is introduced?—I am totally averse to that. If you introduce the group system it would certainly be bad in my opinion; but if you introduce a system whereby the Brahmans, the Rajputs and so on are to vote separately that would make confusion worse confounded.

32. *Khan Bahadur Aziz-ul-Huque:* Do you think that any extension of the franchise for the purpose of the legislature is likely to be successful unless village self-government is placed on an effective footing?—I agree with you entirely. It will certainly advance matters if village self-government is placed on a sounder footing than it now is.

33. Do you also agree with me that some of the administrative difficulties in getting the voters' registers prepared, etc., are likely to be much decreased if village self-government is placed on an effective basis?—Possibly.

34. Supposing all the secondary electors are to record their votes in the sub-divisional headquarters, the very fact that most of them live in distant

villages and have to come to the sub-divisional headquarters will bring in the influence of money and money will play a significant part.—Very likely.

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35. Supposing it is assumed that there is the necessity of special representation of a class, a group, a section or an interest, is it not desirable then that that special interest should have its own voice in selecting its representative?—They cannot have otherwise.

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36. *Diwan Bahadur Ramaswami Mudaliyar:* You have said that 10 per cent. of the population may be directly enfranchised.—That is the view, I understand, of the Prime Minister.

37. I take it that in your province the joint family system largely prevails?—Amongst Hindus.

38. Most of those directly enfranchised voters would be the heads of families.—Bound to be.

39. So that in practice, the head may be taken to represent, on an average, 4 adults.—Something like that.

40. So that really 10 per cent. of the population enfranchised will at least represent 40 per cent. of the population.—That would be fairly correct; it is very difficult to say exactly.

41. What I am driving at is that supposing you enfranchise 10 per cent. you are really enfranchising 40 per cent.—To say that the *Karta* of a Hindu family may be taken to represent not only himself but the other members of the family, would be a difficult proposition to accept.

42. One other aspect of the question. It is perfectly true that in other countries, as history shows, the advance has been from a restricted franchise to a wider franchise. But having learnt the lessons of history, it is neither feasible nor desirable that we should be starting our democratic institutions and try to follow the same historical method, the same approach, and not have the benefit of the experience of other countries. Should we not start from where they have found themselves?—As a general proposition, if you put it broadly, I accept it. Certainly we should profit by the lessons of history so far as we can. But in doing so we cannot overlook the conditions of a country like India which is a vast sub-continent and in which the population is generally in villages, in rural areas with various divergences and differences of language and culture. All these things must be taken together and then in the light of history we must work out our scheme. I am not differing from you in the general proposition, but I am pointing out that that proposition is subject to certain obvious limitations.

43. Taking into consideration the rest of the population who do not come in in any system of direct election, what would be the insuperable difficulties if they are grouped in twenties and asked to elect secondary voters, the secondary voters being merged along with the direct voters, all of them being capable of exercising their votes for the Legislative Council. This system of group election might take place a year before the ordinary Legislative Council elections, so that the group election will be no bar at all to party politics, much less to the possible candidates who may stand for election to the Legislative Council. Would there be anything essentially and inherently difficult in that scheme?—The scheme is so new to me that I would not like to commit myself.

44. One of the merits of that scheme, if I may say so, is to lessen substantially the objection of the "have nots" that they have no voice or share in the Legislative Council elections and it is intended to give them indirectly, as adult franchise is hopeless at present, some amount of voice in the elections. The Legislative Council elections under this system would

be taking place a year later.—A year later would bring in practical difficulties. People would be dying, new people would be becoming qualified. You would have to keep a standing organization to carry on this work. There are various difficulties. I would not commit myself. It is so very new.

45. You will not turn it down, but you will turn it over in your mind.—I promise to consider it.

46. *Babu Shirashankar Jha:* Do you agree with me when I say that in the rural areas so far as elections to the provincial Legislative Council are concerned, there is a sharp division between the two groups, the two sections, landholders and tenants?—Not on all questions; on some questions, of course. On questions affecting *inter se* the relations of landlords and tenants there is a distinct cleavage between them.

47. Do you think that if the indirect system of election were adopted there would be any chance of the tenants being returned to the Council in adequate numbers?—No, because people who are more forward and more wealthy will be able to canvass better and secure a larger number of votes.

48. If a second chamber were established do you think there would be any chance of tenancy legislation being effectively undertaken to remove some of the grievances of the tenants?—I fear not. From my past experience of the working of the Legislative Council, I doubt very much whether legislation in favour of tenants will be carried through. Especially if there is a second chamber, it becomes very problematical indeed to my mind.

49. *Babu Chandreshwar Prasad Narayan Singh:* Do I understand that you are in favour of enfranchising 10 per cent. of the population as a minimum?—I think we should try to go to that if we can.

50. In the first reformed Council there should be at least 10 per cent. enfranchised?—I am in favour of it and I find that is the view of the Government and of the Prime Minister.

51. That is your view also?—Yes, I share that view. We should start with 10 per cent. basis.

52. *Mr. Owen:* Do you consider that it is possible for a representative to get into touch with an electorate of 25,000 in a rural area and with an area as big as one-sixth of a district?—I think it is not. Take my district Shahabad. It is divided into three electoral areas, one of which I represent, Buxar. Under the new scheme it will be very difficult for a man to canvass that area.

53. It is not only the area but the number?—25,000 is a large number to canvass, I concede.

54. *Mr. Middleton:* You said there is no panchayat system in Bihar?—I said, I had no knowledge whether in Bihar the panchayat system was anywhere working satisfactorily.

55. What do you mean when you say that the panchayat system is not working well?—A question was put to me about the working of the panchayat system in Bihar and in reply I said that I did not know whether the panchayat system was working satisfactorily in Bihar.

56. It was put to you that the primary elections by the groups might be held about a year before the general elections to the Council. If that was done do you think that the secondary electors would be exposed to a great temptation to corruption during that period?—I think so. It will make our life absolutely miserable, perpetually canvassing.

57. If there is any indirect election to be combined with direct election, it would be desirable, in your opinion, to have the two as close as possible.—I am speaking against indirect election, but if that is going to be adopted in spite of me, difficulties of that kind should be minimised as far as possible.

58. By having the two elections as near as possible?—That is the only remedy.

Memorandum submitted by the BENGALI SETTLERS' ASSOCIATION, Patna.

(*a*) An adult male (of the age 21 years and upwards) (either male or female) (*a*) who pays rent to his landlord for lands held for agricultural or other purposes or pays rent for houses or other buildings held by him how low so ever.

(*b*) Why pays Revenue direct to the Government Treasury how low so ever.

(*c*) Who pays any tax or rate or fees how low so ever imposed either under an Imperial or local Act.

(*d*) All adult male members of a joint family of which anyone is a voter under (*a*), (*b*) or (*c*) and any one (either male or female) who is an Advocate or holds the certificate of a pleader, Mukhtear, revenue, agent or sub-overseer, or holds a license granted by any medical school to practise medicine, or is a matrieulate of any University, or has passed the Sanskrit title or Madrassa examination held under the authority of Government or passed the middle vernacular or middle English or read up to class VII of the local matric school or its equivalent or is a retired, pensioned or discharged officer, non-commissioned officer, soldier of His Majesty's regular forces.

(For female suffrage see below.)

Labourers in coal fields (tea plantations) are to vote through their organized bodies a number of seats being allotted to them.

(*c*) Yes. If assistance is taken of non-officials.—Barristers, Vakils, Mukhtears, teachers or if a temporary paid service be created for the purpose and electorate centres be confined to small areas.

(*d*) Already answered.

(*e*) To enlarge the electoral roll still further adult franchise is suggested.

(*f*) & (*g*) My committee do approve of the group system and suggest that the adults not entitled to a direct vote should be grouped together in primary groups taking each village or group of villages having not less 100 such adults or a Municipal Ward or the whole town in the case of town—as an unit and be entitled to elect 10 per cent. out of them as voters who will be entitled to vote in the same constituencies as the directly qualified electors we do not approve of any separate constituencies.

2. Franchise Qualification.

(*g*) My Committee do not either approve of the separate constituencies, but if such constituencies are formed, the candidates for such constituencies should not be confined to group electors only.

(*a*) In view of the suggestions made above there will not be any marked disparity between urban as compared with rural areas.

(*b*) No. The franchise as suggested will make the voting of strengths nearly proportional if the small discrepancy in the case of any community will be an incentive to improvement.

(*c*) No.

(*d*) Yes, as suggested above.

(*e*) Yes (provided it is under popular control).

3. Women's Suffrage.

(*a*) The wives and widows (if over 21 years of age) of men entitled to vote under the property qualification should also be enfranchised and all women having the educational qualification as stated above in addition to those having independent property qualifications.

Memorandum by the BENGALI SETTLERS' ASSOCIATION, Patna. [*Concluded.*

My Committee would favour the increasing in women's electorate by the aforesaid franchise qualification 5 per cent.

(*b*) Yes, but no separate groups.

4. REPRESENTATION OF THE DEPRESSED CLASSES.

By franchise as suggested the depressed classes will secure representatives of their own choice.....at once and fully in time. But if this view be not accepted my committee prefer joint electorate with reserved seats for depressed classes to separate electorate which they condemn.

5. REPRESENTATION OF LABOURS.

The labourers when organised are to be given votes through their Associations for seats reserved for them if thought necessary on the same principle as 1 (*f*).

II.—FEDERAL LEGISLATURE.

1. (*a*) My Committee agree.

2. Franchise qualification should be different and illiterate to have votes.

(*a*) Property—paying annually revenue, taxes, cess, or rent or any number of them taken together not less than Rs. 40 annually.

(*b*) Educational—up to and above Middle English, Middle Vernacular, or equal qualification.

(*c*) Five per cent. from the elected adults of the village or town units framed under 1 (*f*).

(*e*) The elections of Lower Chamber should be by territorial constituencies (of groups of villages, parganas for groups of parganas or towns) consisting of voters who would cast their votes directly (the votes of electors under class 1 (*e*) above being really indirect). Communal electorates are condemned as over and above its interest disruptive and disintegrating tendency it would mean further embarrassment and expenditure under this head.

ADDENDUM.

(*h*) Not until adult franchise is introduced and yes if and when it is introduced.

(*i*) Suitable size would be between 250 to 2,000 votes. We would constitute them on the basis of villages, parganas, wards or towns and charge the village organizations to be set up if necessary with the relative duties.

(*j*) No.

Mr. RAMLAL SINHA
Rai Sahib MEHERNATH ROY } **Representing the Bengalee Settlers' Association.**

1. *The Chairman:* You are speaking for the Bengalee Settlers' Association?—(*Mr. Sinha*): Yes.

2. Would you tell me how the association is constituted?—There are a number of branch associations all over the province.

3. What is the number of members that you have got?—About 770 in all.

4. Could you tell me the number of Bengalees who are settled in this province?—About 6 per cent. of the total population.

5. At present I understand there is one member in the Legislative Council nominated by the Governor to look after your interests.—Yes.

13th Feb. 1932.] Mr. RAMLAL SINHA & Rai Sahib MEHERNATH ROY. [*Continued.*

6. Why is it that you require special representation as apart from the general mass of the population?—We have no chance of being returned from the general electorate as our number is not sufficient.

7. In what respects do your interests differ from those of the mass of the population?—Our interest is not different. Our number is very, very small and we have got no chance of being returned from the general electorate.

8. Why is it that Bengalees require special representation? How do their interests differ from the Biharis who live alongside with them?—There are differences between the Bengalees settled here and the Biharis. They look upon us as foreigners. Previously we monopolised all the posts in the province, when the province was with Bengal. But now a spirit of rivalry has ensued and we are looked down upon as foreigners.

9. Supposing there were 200 members under some system of franchise, would you not get an opportunity of making your views felt in the legislature through your neighbours?—Our President stood for election from the general electorate. He was very popular but he failed to secure a sufficient number of votes.

10. What is it that you fear when you ask for special representation?—Our interest will not be represented in the Council. We have not got any representation in the Council. We are an important minority, about 6 per cent. of the total population, all educated and all literate, men and women.

11. All literate?—Yes, the Census report will show that.

12. What is your main occupation?—Our main occupation is Government service. There are lawyers, there are some merchants and zamindars also.

13. You are not settled in the villages?—Not in the villages; we are in the towns. We have built our houses and we are permanently settled.

14. *Sir John Kerr:* You are at present represented by one nominated member?—Yes.

15. How many seats do you claim?—10 per cent. of the total seats in the Council. If it is 100 we want 10 seats and if it is 200 we want 20 seats.

16. On what ground do you justify that?—On the ground of our education, first. We are all educated. We form an important minority in the province. In matters of education and wealth we are the first. We have been the pioneers in introducing industries. The mica industry was, for instance, introduced by us first. We have opened schools and colleges. We are pioneers in establishing schools and colleges in this province. We are still maintaining them.

17. In fact you are the most advanced section of the population and you claim special representation.—If the depressed classes can get separate representation either directly or indirectly, why not a community which is highly educated and very rich?

18. *The Chairman:* If you are a wholly educated class and if by comparison you are wealthier than the general mass of the population, it would mean that a very large proportion of your community would be on the voters' list if the qualification for the vote is based on the possession of some small property or the payment of six annas chaukidari tax?—We will be swamped by the other voters if the qualification is low.

19. *Sir Sunder Singh Majithia:* Can you give us the correct number of domiciled Bengalees in Bihar and Orissa?—It is 5·9 per cent. of the total population.

20. If we take the population of this province as 37,590,000 you will be something like 20 lakhs and odd?—About that number.

21. Surely such a large number of people could get their own men elected from the general constituency and need not have special representation?—

13th Feb. 1932.] Mr. RAMLAL SINHA & Rai Sahib MEHERNATH ROY. [*Continued.*

But we are not so hopeful seeing that, even from the Bhagalpore division where there are large numbers of Bengalees, we have not been able to get one member elected to the Council.

22. But with the qualifications which you have got in this province, would you not be elected?—With all our qualifications we are unable to win at the polls.

23. Would you not be willing to be treated like Scotchmen who are in England? There are Scotchmen in England and they do not prefer to have special representation there?—I have no experience of that.

24. *Lord Dufferin:* But has there been any legislation passed in the past that had an unfavourable effect on the Bengalee population?—The Government has treated us fairly.

25. *Khan Bahadur Aziz-ul-Huque:* Is not this Bengalee population, which you say is 6 per cent., mostly scattered throughout the province?—They are mostly scattered.

26. Is it a fact that most of these settlers have taken lands in towns and in Khas Mahal and in some other districts and that large areas of the province are in their possession?—Yes.

27. Is it also a fact that a large section of people in this part is still asking for amalgamation with Bengal? I am especially referring to people living in Manbhum, etc.—Yes, they wish to go back to Bengal.

28. I take it that when you spoke of industries started in this province, you were referring to coal, mica and so on?—Yes.

29. I would like to know what you had in mind when you stated that you are the pioneers of education and of industry here. Can you give us some concrete instances in which Bengalees have taken part?—They took part in establishing schools at Patna. They have now got schools owned by them in several places.

30. This is mainly due to the fact that at one time this place was part of the province of Bengal?—Yes.

31. Don't you think, when you say 10 per cent., you are asking for too much?—It is my claim.

32. I did not expect that you, being an advanced section, would claim this disproportionate number?—At one time we had 10 per cent. That number is, however, coming down and it is only five now.

33. Would it not be preferable to make a modest demand in accordance with the percentage of the population?—No answer.

34. *Major Milner:* In what way do the interests of your community differ from those of the general mass of the population?—They differ in no way.

35. *Diwan Bahadur Ramaswami Mudaliyar:* Could your claim for special representation be dropped if the Bengalee-speaking population in Manbhum was amalgamated with Bengal?—That cannot be dropped.

36. Do you represent the Hindu community or the Muslim community now?—The majority are Hindus.

37. Is your political viewpoint different from the political viewpoint of the average Bengalee in Bengal?—They are more advanced politically than we are here. Our views are in accordance with the views of the people of this province.

38. I understood that the Bengal Hindus were generally against any question of separate electorates?—I agree with that view.

39. And yet you want a sort of special representation for yourselves?—I want reservation of seats in general electorates, as you have proposed for the depressed classes and the labouring classes.

13th Feb. 1932.] Mr. RAMLAL SINHA & Rai Sahib MEHERNATH ROY. [*Concluded.*

40. *Babu Swyambar Das:* Is it not a fact that in recent years, restrictions have been placed on the admission of Bengalee boys into schools and colleges? —Yes. They have fixed the number of Bengalees that ought to be admitted into schools and colleges.

41. And, on that account, many Bengalees have had to send their children for education to other provinces?—Yes.

42. Is it not a fact that employment of Bengalees in public services is being increasingly restricted?—Yes.

43. Is it not a fact that the Bengalees have a special system of personal law, the Dayabhaga, which is not prevalent in any part of this province?—That is so. We have that system of inheritance. The others follow the Mithakshara system of inheritance.

44. Is it not therefore a fact that you are experiencing many difficulties and disabilities in recent years owing to the lack of sufficient representatives of your community in the legislature?—Yes.

45. *Babu Gurusahay Lal:* Do you think these difficulties will disappear if you send your representatives to the council according to your population basis even if the non-Bengalees are as inimically disposed towards you as you would have us believe?—Yes, and there is the Government holding the balance. Our grievances are not ventilated in the Council because we have not got a sufficient number of representatives there.

46. Have you got a branch of your association at Bhagalpore?—Yes.

47. That association says that you are in favour of the group system of election?—Not for all.

48. Any way, the branch says that it does not favour the group system for all?—It is for those who do not possess the franchise qualifications prescribed that we propose this group system. The time at our disposal was short and so we were unable to meet together. But we had sent circulars to all branches of our association.

49. So is the case with the Cuttack association. That association also disapproves of it?—Yes.

50. *Mr. Middleton:* You stated that Bengalees hold large areas of land in several places. Were you referring to lands adjoining and in the towns?—I was referring to mica mining and other lands. We have also acquired agricultural lands in the Bhagalpore district, where a large number of Bengalees have settled.

51. Do the Bengalees feel that they are not treated fairly?—Yes.

52. But under the local Government regulations, a Bengalee who is permanently domiciled in the province is treated on the same lines as a Biharee?—Yes. They are treated equally.

53. Do you represent the domiciled Bengalee?—Yes, but our number is 6 per cent. and we get only 1 per cent. of the appointments.

54. *Saiyid Muhammad Athar Hussain:* Are you aware that in all the 4 elections, 4 to 8 seats in the council have been held by Bengalees?—They were largely from Manbhum and not one from Bihar.

55. *Rev. Brajananda Das:* Are you aware that, at one time, there were 10 Bengalees in the Council and that even now there are 5?—But, Mr. Roy who is there does not represent us.

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Central Provinces.

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CENTRAL PROVINCES.

Note by the Government of the Central Provinces, on the details of procedure followed at an election of the Legislative Council.

The details of the procedure to be followed by presiding and polling officers at an election are given in the *Manual of Instructions for their guidance. In practice these instructions are followed fairly closely except that it is customary to ask the voter his name, father's name, etc., and not to read him out the extract from the roll as prescribed in Rule 6-I (*a*).

There is no manual prescribing the duties of returning officers, and these instructions are scattered through various manuals.

* * * * * * *

No identification paper is used in this province.

The basis on which polling stations are at present provided in rural areas is territorial rather than numerical. So far as possible, an attempt has been made to provide one polling station for each 150 square miles, which gives a radius of 7 miles, from the polling station. Generally the numbers of voters in such an area are comparatively few and 300 is rarely exceeded, the number generally being below 200.

In some of the wilder districts where there are large blocks of forests, this basis could not be worked to, but even here the attempt is made to see that the large majority of voters should not have to go more than 7 miles to the poll. The number of polling stations varies from 17—32 according to the size of the district. In rural area about 250 per day is usually assumed as the maximum number of votes that can be managed in one day by one presiding and one polling officer. Polling hours are 11 A.M. to 6 P.M.

For urban areas, a numerical basis of 400—500 has generally been taken. This is the maximum that it has been found safe to fix as the maximum number of voters that can be dealt with in one hour by one official is 85. Polling hours are 8 A.M. to 6 P.M. in municipal areas, but the stream of voters is uneven.

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* Not printed.

CENTRAL PROVINCES.

Dated, Bombay, 14th March, 1932.

PRESENT.

ALL MEMBERS OF THE INDIAN FRANCHISE COMMITTEE AND ALL MEMBERS OF THE CENTRAL PROVINCES PROVINCIAL FRANCHISE COMMITTEE.

Mr. E. GORDON, C.I.E., I.C.S., Commissioner, Chhattisgarh Division.

Mr. C. M. TRIVEDI, O.B.E., I.C.S., Deputy Commissioner, Buldana

Mr. C. J. W. LILLIE, I.C.S., Officer on Special Duty, Reforms, Government of the Central Provinces.

Mr. W. H. SHOOBERT, I.C.S., Census Superintendent, Central Provinces.

(Mr. Gordon was the spokesman).

1. *The Chairman:* I understand that you have in vogue what is commonly called the coloured box system?—Yes.

2. That is to say, a voter does not have to make any mark on the voting paper?—Not in the general constituencies.

3. I understand further that you think it is possible for a polling unit, what a polling unit is I will come to later, to deal with 1,000 voters in a polling day?—Yes.

4. You go on to say that it will take 3 weeks* or more to poll something between 10 to 15 per cent. of the electorate. Could you explain why if you have a Presiding Officer and two polling clerks or some combination of that kind, and assuming that you can poll 1,000 votes per day, it should take 3 weeks to poll 15 per cent. of the population of the Central Provinces?—Because in each constituency we will require something like 12 to 15—that is the average number—Presiding Officers and therefore in each district it will only be possible to supply the number of officers sufficient for one constituency at a time.

5. Could you give us some sort of time table by which you are going to take 3 weeks?—In the district in which I am stationed there will be 6 constituencies—4 rural, 1 urban and 1 depressed classes, assuming that is approved. The number will approximately be six. We will only be able to take one constituency per day. There will be 15 different polling centres. The elections will be held in one day. The Officer will then have to seal up his boxes and send them to the headquarters. He himself has to travel next day probably to the next constituency, which may take him anything between 2 and 3 days.

6. Do you mean to say that the staff that is available in a district can poll only one constituency?—Approximately, if we put responsible officials as Presiding Officers to supervise the polling arrangement.

* *Vide* C. P. Government's memorandum in Vol. III, pages 239-261.

14th March 1932.] Messrs. E. GORDON, C. M. TRIVEDI, C. J. W. LILLIE & W. H. SHOOBERT. [*Continued.*

7. You have given us a list of 825 officials in the province of whom, I gather, 384 are available to act as Presiding Officers?—Yes.

8. I have had little time to digest your statement and I will come back to that question later. Let me take you first of all to the actual method of polling. You lay great stress on the identification of the individual voter by the Polling Officer?—No special stress.

9. In some provinces they have the local Patwari or the *chaukidar* or an equivalent individual to identify the voter. Do you have the same system?—Yes, that is right.

10. In England and in certain other places it is not done. The individual is accepted as being the right person until somebody else came and voted in his place in which case there is a tendered vote. Do you think that identification is essential?—We leave it to them to give their names. But the thing is to find out their numbers. It is not so much identifying the individuals as discovering their number that takes the time.

11. It does not mean identification in the sense of independent testimony?—No.

12. When it comes to the actual issue of the voting paper, you say that the polling officer or the Presiding Officer has to write his name on the ballot paper?—Only the number goes into the counterfoil.

13. There is some use of the word 'signature'?—(*Mr. Lillie*): That may be in the local board elections and not in the Council elections. In the Council elections it is different.

14. You have simplified the procedure to the extent it could be simplified?—(*Mr. Gordon*): I think we could lower it still.

15. Still you do think that you could poll 1,000 votes per unit per day under your system?—Yes.

16. *Sir John Kerr:* Could you explain further how three weeks are taken? I gather from your letter to the Franchise Committee that the same staff is employed for counting the votes?—Frequently.

17. Even then, how does it extend to three weeks? You finish off polling in one day for the whole constituency. Then what happens on the second day?—The boxes have to be brought in from outlying polling stations. It will take two or three days. The staff meanwhile have to move across to the next constituency which may be a good long distance away. For example, the area of one constituency may be as large as 5,000 square miles. It would consist of one of several divisions of the district which are known as Tahsils in the Central Provinces and Taluks in Berar. Roughly speaking, there will be 5 or 6 constituencies in a big district and in a small district there may be 3.

18. When the boxes come in what happens then?—Personally I think, the easiest way would be for the staff to do the moving about and recording the votes first and then do the counting later when they come back.

19. Then it would not take 3 weeks?—I think, that is a generous estimate.

20. But supposing you have 4 or 5 Tehsils and 3 days, you poll to-day and you move to-morrow?—I don't think you could poll on successive days.

21. You could poll three days?—With difficulty.

22. *The Chairman:* In various other provinces which are as populous as the Central Provinces and where they have suggested the enfranchisement of 10 to 15 per cent., we have been told that 5 days would be enough, 3 days for the non-Muhammadan and 2 days for the Muhammadan?—(*Mr. Trivedi*): We suggest six working days with an interval of one marching day.

14th March 1932.] Messrs. E. Gordon, C. M. Trivedi, C. J. W. Lillie & W. H. Shoobert. [*Continued.*

23. After this discussion you might reconsider the matter as to whether 3 weeks are really necessary on the assumption that 1,000 can be polled per day. In other places where they have got a more cumbersome method they have suggested that they can do it in 4 or 5 days?—I don't think we have got as big a staff and I think our districts are probably bigger.

24. That may be the reason. Perhaps you could give us the details in a note?—I will try to work out two concrete cases, one of a small district and the other of a big district.

25. *Diwan Bahadur Ramaswami Mudaliyar:* Among your Presiding Offices at present you say you have generally only gazetted officers?—Yes.

26. Don't you think you could have Sub-Registrars as Presiding Officers?—I don't think so. I would not care to take them.

27. In Madras we use them?—I think, probably a Sub-Registrar is a higher officer there.

28. He starts on Rs. 75 and goes up to Rs. 250?—The status of our Sub-Registrars is less than that. We do not like to go below Naib-Tahsildars as a rule.

29. How many actual polling days would you take?—One polling day for each constituency.

30. And how many constituencies could you manage in one day?—Only one, unless there were two constituencies with a joint electorate.

31. How many districts have you got?—Nineteen.

32. How many constituencies will there be in each district?—From 3 to 6.

33. Do you give a general holiday on the election day?—Certainly.

34. How many days do you have?—Only one holiday.

35. Under the proposed arrangement how many will you give?—It will have to be a holiday for the district because the staff will be busy.

36. *Major Milner:* How many polling booths have you in a constituency?—Fifteen will be our minimum.

37. Is there any shortage of Presiding Officers?—(*Mr. Trivedi*): That is our chief difficulty.

38. Presumably there would be more than 15 suitable officers who could act as Presiding Officers?—In smaller districts. In bigger districts you can get up to 30. In Buldana, for instance, which is a larger district you can get a larger number, up to 30.

39. There are some districts in the constituencies of which it will be possible to poll double the present number?—In Nagpur you could do more, as there is plenty of staff available.

40. In the headquarters it will be possible to poll the whole adult population in one day?—In Municipal elections about 25 per cent. of the population.

41. It will be 50 per cent. of the adult?—Yes.

42. You can do that quite easily?—Yes.

43. You could have adult suffrage in towns as far as the question of Presiding Officers is concerned?—In Nagpur it could be done if it is purely a question of Presiding Officers.

44. What are the other difficulties?—(*Mr. Gordon*): We have got to prepare the roll to start with.

45. I have read somewhere that you have said that there is no difficulty about the preparation and maintenance of the roll?—It takes a long time to prepare it.

47. And no doubt it requires some expenditure of money?—Yes.

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48. Assuming that it is forthcoming, there is no real difficulty about the roll?—(No answer was given).

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49. What is the staff that you employ on census work?—(*Mr. Shoobert*): We have a very small central staff and everything is done by Deputy Commissioners in charge of the land records staff.

50. For how long is the work spread out?—We begin our preliminary work by April of the year previous to the census which takes place in February or March. The whole organisation is complete by September. We take a preliminary census in January or a month before the actual census takes place. The actual census generally means therefore checking the papers which have already been made up. The entries in the schedules are only altered when anyone has died or gone away from his house. Additions are made when there are any newcomers.

51. At a particular hour on the census day the enumerator visits the houses allotted to him?—Yes. I should mention here that non-officials are the persons who do this sort of work mostly.

52. Is it possible to use a proportion of these non-officials as presiding officers at elections?—No. In some cases they have only a very limited education and I do not think they would make good presiding officers. We can think of them as polling officers, but even for this local feeling should have to be taken into consideration.

53. They are not likely to act wrongly?—They would be accused of having acted wrongly. For census the non-officials who are mostly enumerators do not take any great responsibility. What actually happens is this: non-officials do honorary work as enumerators, but actually the man who does the census work is the patwari or the village official.

54. Have you considered in detail the suggestion to have honorary workers as presiding officers?—The note that has been sent up on the subject is fairly full.

55. They are all senior officers that you have got on the list?—No.

56. The last official on the list is the Divisional Forest Officer?—Yes.

57. Up to what grade of officer will you go for a presiding officer?—The range officer, I should say.

58. Who are those below him?—Revenue Inspectors would come next.

59. Can he be entrusted with the work of presiding officer?—He draws only from Rs. 40 to Rs. 60 a month.

60. Is it the suggestion that he will be amenable to pressure of some kind? —(*Mr. Gordon*): It is a ticklish question. If a man has not got some status his decisions on the spot will not be accepted by the candidates or their agents at the polling booths.

61. What about the Revenue Inspector? Is he not a man of some status? —I do not think the public will for a moment countenance the Revenue Inspector being posted as a presiding officer.

62. Have you taken any steps to ascertain the opinions of the public?—Yes. We have taken the opinion of a number of people including candidates who have stood for elections, and the Secretary's note and the list are based on those opinions.

63. Have your committee taken any evidence on this matter?—We have not taken any evidence on this matter. We have our experience.

64. At the polling booths the real work is done by the presiding officer?—Yes.

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65. Is it not possible to delegate most of his work to the polling officer?—That can be done and the presiding officer asked to supervise his work.

66. *Khan Bahadur Aziz-ul-Huque:* What are the hours of polling?—(*Mr. Shoobert*): 11 to 6 in the rural areas and 8 to 6 in urban areas.

67. What is the cess on non-agricultural income?—(*Mr. Trivedi*): It is the school-cess.

68. Is it realised from all people?—This particular cess is realised from non-agriculturists.

69. So far as this cess is concerned, I find there is no provision in the franchise list for making payment of it a qualification to vote. Is that correct? You have enfranchised people who pay land revenue, but not these people?—I do not think we considered what numbers of people pay this school-cess. I would like to draw the attention of the Committee to this fact that there are certain classes of people in rural areas—non-agriculturists who do not come under any of the qualifications proposed by the Provincial Franchise Committee. I suggest that their case should be considered.

70. *Mr. Tambe:* Please refer to the statement* attached to the Provincial Committee's Report regarding the proposed Central Provinces Constituencies. Don't you think that Berar could be done in 2 days?—No. You must allow time for transit.

71. Cannot Nagpur be done in one day?—We require two days.

72. At Nagpur you have got a large number of officials?

73. *The Chairman:* Will you please tell us what the substance of your question is?

Mr. Tambe: I am suggesting that elections can be held in a short time so far as Berar is concerned and they have accepted it.

74. So far as Berar is concerned, you can conduct the elections in a shorter time?—Yes.

75. Ten days at the most should be enough for completing the elections?—(*Mr. Gordon*): I do not agree. Counting itself takes a lot of time. For instance, in Nagpur itself we have got 40 to 50 ballot boxes. It takes a good deal of time to count the ballot papers in each of the boxes separately in order to see whether they tally with the returns sent in by the presiding officers.

76. *Major Milner:* In England we finish polling at 8 o'clock, and as the votes are counted in different rooms, the results are announced before 11 o'clock.—Here the whole process is entirely different. There are so many returns in separate envelopes sent in by the presiding officers. These have to be checked with the list also sent in by them. The breaking open of the seals in the numerous boxes itself takes some time.

The Chairman: I suggest that one or two of you gentlemen will talk to Major Milner on the technical side of counting and see if you cannot find a way to finish off counting more quickly.

77. *Mr. Tambe:* You don't take assistant masters as clerks in polling stations?—(*Mr. Trivedi*): We employ them as polling clerks. We have not employed them as presiding officers.

78. You can have a good lot of assistant masters drawing the same salary as Tahsildars?—Well, if the schools are closed, we could use them.

79. The Government can have no objection to that. What about the requisitioning of the services of pleaders or barristers and so on who do not take any active part in politics?—It would be rather a limited number, if we take those who would not take interest in politics.

* *Vide* pages 273—277 of Vol. III.

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80. In Amraoti there will be a large number?—In Buldana the pleaders told me that they would have identified themselves with one party or the other. A certain number will, however, be available.

81. Such being the case, I am pointing out that it would not be difficult to poli the urban constituency along with the rural constituency?—We do not find them in sufficient numbers. Even for census work we could not get pleaders. Of course, there were a few brilliant exceptions. Census work was *begar.*

82. *Mr. Chintamani:* You say that in urban areas the maximum that it has been found safe to fix is 400—500 voters for a polling officer. Are you quite sure that you have not taken a low average?—(*Mr. Gordon*): We will be able to do a thousand in future.

83. Did you take that into account when you suggested the extension of the franchise to 10 per cent. of the population?—Yes.

84. Even on that basis, with your official experience, you do not think you can go beyond 10 per cent.?—No. At the moment we think that even this 10 per cent. is going to involve very great strain.

85. According to your schedules in some municipalities of your province you have reached an average of 18 per cent. as the voters. In some municipalities again you have gone as high as 25 per cent. or 27 per cent. Suppose for the future Legislative Council you adopt a system of franchise which goes up to 15 per cent. of the population, do you think with the aid of non-official agency you will find it very difficult to arrange for the polling?—(*Mr. Gordon*): Yes, we would find it undoubtedly difficult.

86. After availing yourself of all the assistance which a non-official agency can give?—Even with such non-official assistance as we may get, it will be very difficult.

87. In fixing 10 per cent. you have proceeded on the footing that only officers could be utilised for duty at polling stations?—I do not think we would get very great help from non-official ranks.

88. You have got non-official magistrates, chairmen, and vice-chairmen of district boards and so on?—We cannot count on taking in all these gentlemen. These gentlemen will be taking interest in the election of one candidate or another.

89. Supposing the returning officer makes a list of such non-officials as in his opinion may be invited to serve—you may strike out the names of non-officials against whom the candidates have objection—and the unobjectionable persons are alone taken, then you can have no objection?—(*Mr. Gordon*): I do not think we can get many in that way.

90. I do not understand your reason?—They all would wish to take part in the election rather than take part in polling duty.

91. What is your objection to the method I have suggested?

92. *The Chairman:* Do you understand the question? Mr. Chintamani wishes to know whether there is any objection in principle to non-officials being asked to serve in polling booths?—Provided they are ready to work, there can be no objection in principle.

93. *Mr. Chintamani:* When there is no objection in principle, don't you think you can give a trial to that method?—We say there is no objection in principle.

94. Then have you any objection to try it? Will you consider it?—Yes.

95. *Lord Dufferin:* It was suggested in other provinces that where non-officials were used as presiding officers, there were so many accusations of fraud that they were extremely unwilling to come forward a second time. Do you think it would be popular in the Central Provinces?—I think it would be an unpopular office.

96. Do you poll for the Council and the Assembly on the same day?—Not necessarily.

97. Can you not poll for the Council and Assembly at the same time if the coloured box system is introduced?—I think it is usually on a different day. But I would like to have notice of the question.

98. Have you considered at all whether you will not be able to work the coloured box system? If you had multi-member constituencies, do you anticipate any difficulty?—(*Mr. Trivedi*): We had a plural constituency in Nagpur returning two members, and we found no difficulty in working the system of coloured boxes.

99. *Dr. Ambedkar:* Do you think it will be very difficult to have a differential qualification for electors of different communities?—(*Mr. Gordon*): I think it would be difficult. I think the disadvantages would outweigh the advantages. That is my personal opinion.

100. Administratively would it be possible to prepare an electoral roll on the basis of differential qualification for different communities?—It could be done administratively.

101. *Mr. Butler:* What do you think the expense will be under your suggestion?—The present cost of printing alone is Rs. 42,000, and with eight times the electoral roll, presumably, the expense would rise roughly in the same proportion. It would be approximately three lakhs.

102. Apart from that, what will be the other expenses?—It is estimated at Rs. 18,000. It is not an absolutely correct estimate, because we cannot estimate the amount of time taken by Government officers at so many rupees.

103. What about the travelling expenses?—They will be 8 times the present figures.

104. What further expenses?—The preparation of the electoral roll, which will be 8 times the present size.

105. What will be the total expenses?—Approximately 4 lakhs.

106. *Sir Muhammad Yakub:* In rule 14 you say that if a blind man or a man who cannot distinguish colours by their names wishes to vote, the presiding officer shall mark the paper. Are any agents of the candidate present when the presiding officer makes the mark?—(*Mr. Gordon*): The agent of the candidate is present in the room of the presiding officer. He is entitled to be present there.

107. What is the practice in your province? Is the agent always present, and is the paper marked in his presence?—I have no personal experience. (*Mr. Shoobert*): Generally we have been returning officers and we have not seen what the presiding officers have been doing. It is within their discretion.

108. Has any objection ever been taken that the presiding officer has made a wrong mark?—(*All*): I have never heard of it.

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109. Is it desirable that the agents should be present at the time when the presiding officer makes the mark?—(*Mr. Gordon*): I would have no objection. That is my personal opinion. I do not suppose we have got more than one blind man voting.

110. In the statement of details of procedure*, it is stated: "After the procedure mentioned above has been followed and the voter approaches the presiding officer to receive a voting paper, etc.", and a long procedure is then described. Can you suggest any system by which any of these formalities can be dispensed with in order that a larger number of voters may be

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polled in a shorter time?—We propose that the presiding officer's functions should be delegated to the clerks so that instead of his doing all this work, he would supervise it. We hope that he will thereby be able to do 4 to 5 times the present number.

111. Do you think it is necessary that each and every voter should be identified?—No, we do not.

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112. Do you have separate booths for women voters?—Only separate doors but the same booths. (*Mr. Trivedi*): In Nagpur city we had separate polling stations for women at the last general election in 1930. But at other places there were only separate entrances and exits.

113. Don't you think it will be more convenient for women, and a larger number of female voters would in that case be persuaded to come to the poll, if separate booths are arranged for them?—We could not find women presiding officers.

114. Even if the presiding officer is a male person, if you have separate booths for women, would it not be more convenient for women to come and vote?—(*Mr. Trivedi*): Perhaps, it would be. But in that case we should have more presiding officers. We should have the same number of presiding officers as we have for men. The number would be doubled.

115. Don't you think you can have women presiding officers from missionary ladies and school teachers?—We had women presiding officers in Nagpur city itself. But it is quite impossible to manage in the rural areas. We cannot possibly have so many ladies coming forward.

116. Do women in rural areas observe strict *purdah*?—No. But Muhammadan women do.

117. What is your opinion regarding the suggestion of voting by post for females? The voting papers will be sent to the female voters by post and they will return them by post?—It was never considered.

118. Will you consider this method, because this is a procedure adopted in university constituencies?—Yes. We can consider that question. Nobody thought of it up to date.

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119. *Mrs. Subbarayan:* I gather that the purdah system is not very strict in the rural parts in your province and therefore it is not absolutely necessary to have separate polling booths for women. But to enable the purdah women to record their votes without any difficulty, could you provide women assistants at those centres where women object to recording their votes in the presence of men officers?—It could be done only at big headquarters.

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120. *Sir Sunder Singh Majithia:* Could you not employ some honorary magistrates as polling officers?—I think they would be very reluctant to come forward. They have been made rather a target of criticism lately.

121. *Mr. Fulay:* Is it a fact that in municipal elections honorary magistrates are deputed as presiding officers?—Mr. Trivedi who has had experience of it tells me that it is so.

122. Then what is your objection to employ them as presiding officers in Council elections?—No objection in principle.

123. If honorary magistrates are presiding officers, you can manage a larger number of voters than you at present manage?—On that supposition, yes

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124. *Mr. Shareef:* Do you think members of the bar are not qualified to hold census operations?—(*Mr. Trivedi*): Yes, we had very many.

125. Do you think the work of census operation is more difficult than election work?—Certainly not as long as people read the rules, which they very seldom do.

126. Don't you think members of the Bar, by the nature of their profession, are easily adaptable to election work?—Naturally.

127. Is there any objection to their being so employed?—None at all.

128. If members of the Bar were supervising officers, don't you think the elections would be done in much less time?—I don't think it will be done in any shorter time than most Gazetted officers have done it in. It would take about the same time.

129. Even if members of the Bar acted as additional supervising officers?—Yes, as additional supervising officers.

130. Then you could have many booths in the district?—Yes.

131. You have never tried this agency?—No.

132. Likewise don't you think the school staff is equally reliable as the clerical staff?—If you are talking of Government schools, their staff is probably quite reliable and we do use it.

133. Do you employ that staff in election work?—Yes, at times; I can't say all, but certainly some.

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134. *Sir John Kerr:* The group system that we would like you to consider is one that is being worked out in the United Provinces. It is proposed that a village should be divided into groups of 20 or larger; there should be one representative for each 20 and this grouping should be done by the Revenue staff in the touring season preceding the year in which the general election is to be held. Groups would be formed geographically; that is the touring officer should go into the villages and take the first 20 houses, assemble 20, 40 or 60 adults and get them to choose one, two or three Mukhis to vote on their behalf. The names of the Mukhis would be added to the ordinary electoral roll for the constituency in which it is situated. If there are separate electorates for Muhammadans, separate groups should be formed of Muhammadans.—(*Mr. Gordon*): What would be the ordinary electoral roll?

135. Persons qualified under the property qualifications; but this Mukhi business is for all the people left out of the ordinary roll. It is more on the question of that system and the question of staff that we want to get your advice. In the United Provinces they will use the Kanangoes who are paid Rs. 120 or Rs. 125 per month and they will work under the supervision of the Naib Tahsildar. There will be no appeals against their decision but the Commissioner will have powers of revision; that is the extent of the appeal. Could you tell us whether in the Central Provinces, if a system of that kind were adopted, your revenue staff could work it in the ordinary course or whether you have to strengthen your staff—They could do it to the neglect of his entire work; the ordinary work would have to be abandoned.

136. Do you think that by strengthening the staff you could do the work?—I think we could certainly work it with a temporary additional staff if the ordinary work is not to be abandoned.

137. The first time there would be difficulty, but afterwards the villagers would understand what was wanted and it would be done in very much less time. That is the suggestion?—All the district officers agree that it would need extra staff. Mr. Trivedi has worked out what it would be for one district

14th March 1932.] Messrs. E. GORDON, C. M. TRIVEDI, C. J. W. LILLIE & W. H. SHOOBERT. [*Continued.*

(*Mr. Trivedi*): What I worked out was the formation of groups. If each group consisted of 100 adults we would require one revenue inspector for about 3 months for 50 to 60 villages. The revenue inspector would be able to form groups and hold elections in a period of 3 months. In the district which I know, Buldana, there are 25 revenue inspectors' circles and we would have to have 25 inspectors and roughly the expenditure would be Rs. 5 or 6 thousand per district, a little less or more; anything from Rs. 4,000 to Rs. 6,000.

138. What is an inspector's pay?—From Rs. 40 to Rs. 60.

139. How many villages are there in that district?—1,400 and 25 revenue inspectors' circles.

140. Could you and your colleagues give us a very brief memorandum to that effect?—(*Mr. Gordon*): It only expresses my personal opinion. I want to make that clear.

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141. Is it not more difficult to hold elections in a large group than it would be in a small group?—I think the larger the unit, the more simple it would be. There would be less trouble. It is difficult to divide up into 20's.

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142. *Mr. Butler:* Supposing you have restricted direct votes to Municipal voters as at the present time and enfranchise the rest by groups, would the fact that the number of direct voters was restricted and the roll already compiled, assist them to poll direct voters even though the group system was an additional trouble?—I take it the object of the question is in order to supervise the group system better. Assuming for other reasons you accepted the group system as satisfactory and it was giving you suitable voters, probably administratively it would be easy.

143. *Sir Muhammad Yakub:* On the assumption that eventually the decision is in favour of separate electorates and that it goes down to the group system, would it be possible to make Muslim groups in view of the fact that the percentage is small in the Central Provinces?—There are many villages below double figures of Mohommedans who could be voters. If the group system is introduced it would frequently mean that Mohommedan population being so small they would have to be grouped with villages some distance away.

144. *Sir Zulfiqar Ali Khan:* Because you think it is administratively impossible?—I think it has various objections. The objections pointed out by the Hon'ble Dr. Deshmukh in the Government letter, on the political side are very true. Either there would be apathy, in which case it is not worth having, and there would be no educative effect in it in which case also it is not worth having. There would be no connection between the primary and secondary voters. On the administrative side, we think, it is open to abuse.

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145. *Mr. Shareef:* Do you think that the people in villages in the Central Provinces and Berar would be under the influence of Mukkadams, patels and patwaris?—I think, they would have a large amount of influence.

146. And don't you think that that influence will work in the formation of groups?—Yes, I do.

147. Don't you think then that the so-called representation would, as a matter of fact, be no representation?—This is one of the abuses to which I have referred. The scheme is subject to manipulation.

148. It is open to corruption?—Influence rather than corruption.

149. *Lord Dufferin:* Could we not get it cleared up that if you have geographical groups you can't possibly have corruption. You have got to take what is in the area?—But you have got to fix the area.

14th March 1932.] Messrs. E. Gordon, G. M. Trivedi, C. J. W. Lillie & W. H. Shoobert. *Concluded.*

150. *The Chairman:* Lord Dufferin's point is that if you have the groups on a geographical basis you automatically, I would not say eliminate, reduce the margin for corruption?—You would reduce it but you won't reduce the influence of the Mukkadam.

151. You would reduce the margin of corruption in the formation of groups?—Of corruption, but not of influence certainly.

152. *Mr. Shareef:* Even if the grouping were to be done on the geographical basis the influence of the Mukkadam and the patwari would be there? —I think so

153. Again at the time of the election won't the Patel and Patwari have the influence?—That is not so strong.

154. In the case of the direct method the influence does not work so much as in the case of the indirect?—That is probably correct. That is my view.

Memorandum submitted by Rai Bahadur K. S. NAYUDU, M.L.C.

As I am likely to be prevented by illness from attending the joint meeting of the Indian Franchise Committee and Central Provinces Franchise Committee at Bombay I wish to make a few observations in connection with the questionnaire and request that these be placed before the Indian Franchise Committee. Adult Franchise is the accepted goal, but owing to practical difficulties connected with handling of a very large number of voters the property qualification has been introduced in order to keep the strength of the enfranchised within certain limits. "Property qualification" strictly speaking means a disqualification of the nonpropertied classes and the idea of property qualification is thus inconsistent with the idea of adult franchise. If it were necessary to keep the number of the enfranchised within certain limits a more natural way of doing it would be as follows:—

(1) Enfranchise the whole adult population above the age of 21 immediately, and

(2) Leave it to the option of the electors to get their names registered in the Electoral Roll on payment of a nominal fee of 4 annas each.

Under this system every politically minded adult who puts a value upon his vote will get his name registered and the names of the rest will not get on to the Register. This exclusion of some people from Electoral Roll will be the result of the decision of the electors themselves and would be perfectly consistent with the principle of immediate adult franchise. To begin with the number so left out in the Electoral Roll will be considerable and at each revision of the Electoral Roll number of registered adults will increase and universal franchise would be automatically attained in course of time. The pace of advance being in proportion to the political awakening among the unregistered adults. The Central Provinces Committee have decided to enfranchise between 10 and 15 per cent. immediately by adjusting the property qualification. The process I have suggested would also yield immediately the same number of registered voters, with this difference that in the one case people, whether they care for their vote or not, would be enfranchised merely because they possess some property and in the other case all those who are registered voters would be the more intelligent and politically minded section of the population. The system suggested by me has the further advantage of producing a certain income from registration fees which would be sufficient to cover the cost of holding elections.

This method of registration of voters coupled with the indirect system of election suggested by me in my minute of dissent ought to yield very satisfactory results. There is no objection to indirect system of elections. In

these provinces district councils have been indirectly elected through the local boards for over half a century and no objection has ever been taken to this system of election.

Rai Bahadur K. S. NAYUDU, M.L.C., Representing the Non-Brahmans.

1. *The Chairman:* We have before us a stalwart champion of the group system. Am I correct?—Yes.

2. *Diwan Bahadur Ramaswami Mudaliyar:* Apart from the group system he has put forward his proposal for adult franchise in his note. Rai Bahadur Nayudu suggests that adult franchise may be given provided every voter registers himself as a voter on payment of four annas. I should like Mr. Nayudu to elaborate that scheme of his?—The basis for the scheme that I have suggested is this. I assume that adult franchise is the accepted goal and if you are really serious about this accepted goal then the only difficulty that we find is the practical difficulty of handling a very large number of people—the administrative difficulty. To meet that, out of the solutions so far put forward there is only one which is worth mentioning and that is the property qualification. In my opinion this property qualification is such that if we propose to enfranchise 10 per cent. it is a qualification for 10 and a disqualification for the 90. It is not correct to describe it as a property qualification. The correct description would be partly a qualification and partly a disqualification. In the latter sense I don't think it is consistent with the principles of real adult franchise. I have got another way of attaining the same result and that is that I propose enfranchising the whole adult population immediately subject to this condition that only registered voters will be entitled to the vote and go to the polls. Every person who is an adult will be free to have his name registered as a voter on payment of 4 annas—a nominal fee. Every person who gets his name registered will be entitled to and has got to record his vote. Under this scheme every person, every man and every woman, who puts a value on his vote, will undoubtedly go and get his or her name registered. The real test of people wanting to get a vote is whether they are prepared to spend 4 annas and take the trouble of getting their names registered as voters. A similar system now prevails in the Central Provinces regarding the University. There is a registration fee and only the registered graduates are the people who are the voters there. Under this system if any people remain out of the list of voters it will not be because there has been fastened upon them any unnatural qualification like the property qualification or disqualification but because of their own choice. People who will not spend 4 annas as the registration fee are really the people who should not be among the enfranchised and they will generally be those people whose political instinct is not so much advanced as to want a vote. We have been hearing opinions that the women would not go to the polls and their case would be prejudiced. The best way would be to give them the choice and let them get themselves registered in as large numbers as they desire. After they get registered there is the likelihood of their going to the polls. Women who are not likely to go to the polls won't get their names registered. Similar is the case with what they call backward classes, the depressed classes and labour. So far the solutions put forward for these classes have not been satisfactory to them. But if they are allowed to have their names registered as voters on the payment of 4 annas, then, I think, all the politically-minded people will come as voters and it is just as well that we have them. The advantage of this system would be that no particular section of the people which has been now struggling for having a vote or in any way imagines has been struggling

for a vote will be left out. Everybody will be given a free choice to have his or her vote registered. The second advantage that we will have is that the persons that will come in under this system will be all people more or less politically-minded and possibly a far more intelligent set of voters than those you have under the system of what you call the property qualification. Under the property qualification you will get illiterate people and all sorts of people who have got no value for their vote. Under this system probably you will have only those who wish to exercise their political right. Then, this will be a matter of automatic expansion.

3. *The Chairman:* May I tell you that in Ceylon the same system prevails and the evidence was to the effect that while the constitution provided that only those should be put on the roll who put in an application for it, in practice party organizations and agents of candidates tried to get everybody on to the roll irrespective of the fact whether they would have otherwise come or not. The witness thought that on the whole it was simpler for the Government to do it?—I would prefer it even as a result of party organizations rather than enfranchise them whether they wanted the vote or not. Having done this it will only be a matter of political awakening. Probably among the advanced classes you will find a larger number of those who will register. It will be according to the political awakening then obtaining. The expansion will be automatic and the pace will be regulated by the political sense of the people. By this procedure we do not lay ourselves open to the objections that are brought in that the qualifications that have been devised are not such as would bring in a sufficient number of people of various communities which will give them sufficient representation according to their numbers. The second advantage that I find, though an incidental one, is not altogether negligible. The amount that you will recover in the form of fees would undoubtedly cover the cost of your elections. There is one thing more about the system that I have been speaking about. My own idea is that to begin with the number of people who will really get themselves registered and thus enfranchise themselves would not be much larger than 10 per cent. of the adult population. It means that it will be possible to handle this number by a process of direct voting. The other system that I am going to speak about, namely, the group system, involves the idea of bringing in everybody as the primary voter. I have heard several opinions just now during the day here. The first was the difficulty about forming the groups. I have heard some opinion that it would be desirable that the group should be of 20, similar to the Mukhia system in Bengal. How are you going to make those groups of 20? It is very difficult unless you have some principle by which you could go. My suggestion is that it would not be possible to make any artificial rule by which you could divide them into small groups. It would certainly be possible to make these groups territorially. That is the simplest way of doing it. Then we have heard that these groups are likely to be influenced. Mr. Shareef complained a good deal about this influence. I might say that this influence is always exercised in the elections in spite of your secrecy of the ballot. After all, the candidate who is going to stand for election is going to exercise his influence. Why is he there? If he has no influence he will not be elected. Before a candidate is elected he ought to be able to know the opinion of the people and influence them. A candidate must exercise his influence in the indirect way. The question of influence is always there. If you are afraid of the influence coming in and because of that you don't want to have the group system we might just as well shut up the show. The best way of avoiding interference with the free choice of voting would be to have larger groups than 20—much larger. In a district there will be many villages and the population will range anything from 100 to 20,000 people in a bigger town. It would be quite easy to group two or three villages together. Every village has got its own Patels, Patwaris and leading men

and therefore it is not all going to be one way. In a group of four or five villages it will not be possible for the Patels, etc., to exercise their influence. Therefore I suggest that the group should be one in which there are at least 1,000 voters, 8 to 10 villages being put together. In the case of the larger villages the number may be smaller. Then when you select people out of these on the principle of single non-transferable vote, I expect you will get very satisfactory results. We have been hearing some argument in favour of these groups being made on the communal basis. I submit that if we adopt the system of election on the basis of a single non-transferable vote all important minorities in that group are bound to get represented in the secondary stage. It is only very, very small minorities that will be dropped out. Therefore all communities that really have any voting strength ought to have no fear whatsoever from the system of elections that I propose. If we have an electorate of an adult population of 1,000 on an indirect system and single non-transferable vote, I submit, we will obtain results which will also be free from all the influences that we have been hearing about. One suggestion that I would add is that if the particular officer that is going to deal with these primary elections associates with him some local people or a committee much of the abuse that we have been hearing about would be gone. There was a suggestion made that the officials might be not very reliable. There was also a suggestion that the local people may not be reliable. If you can't find a few people of free will to work in a combination like this, then I think it is better we talk no more about elections.

4. *The Chairman:* You will have the whole population on the roll?—Yes.

In these groups of 1,000?—I do not mean that you should make out a regular electoral roll of primary voters.

5. How will you conduct the elections by the method of single non-transferable vote?—We will have to make groups of villages. This can very easily be done. We have got village statistics, giving the name of the village, population, male and female, and so on. We can find out from the population of each village the number of villages that could be put together in order to keep the minimum of 1,000 adult voting strength. It could easily be done in the Deputy Commissioner's Office. Nobody need go to the spot. When it comes to the election of the primary groups I will make it known by beat of drum that the election will take place on a certain date and all the adults will be free to go. All the villagers will be there and they know one another very well. Any outsiders will be easily spotted. There is no fear of outsiders coming in, and these elections will be held openly.

6. You will elect 4 or 5 Mukhiyas?—As I said earlier in the day it will all depend on the amount of secondary strength that you want to have. My original idea was to have one secondary voter for every 250 primary voters. I hear that it might be large. I do not mind going even to the length of 1 for every 50 primary voters. I don't think there will be any harm. In that case you will get a very large number of secondaries.

7. How are you going to conduct the elections?—I will get all these people together by beat of drum. They come out to an open space. First of all, it will be declared that there are so many candidates for so many seats.

8. Nominated people?—Yes.

9. Let us suppose there are 15 candidates for 5 seats?—I will call out the name of the candidate—candidate A—and then ask the people that support A to raise their hands. They do so and as it is going to be a single non-transferable vote, they will be asked to go. The remaining ones will take part in the next election.

10. It will depend on the order in which you put the candidate?—I might choose it by lot to avoid that difficulty. Suppose B gets 110, C 120, D 50

and E gets 90. We can take them in the order in which they have secured their votes. In this process we can go to the length of reserving seats in the primary elections. You will remember that Mr. Gavai raised that point. He was afraid that primary electors may not return a depressed class secondary elector. I don't think the difficulty which Mr. Gavai entertains is going to arise, but I am prepared to reserve a certain number of seats in the primary elections. All that we have to do is that if there are 4 seats and 1 is to be reserved we will take the first three men at the top and the 4th man of the community for which the seat is reserved whatever the number of votes that he secured. I should do the same thing in the case of the Muhammadan community.

11. *Mr. Bakhale:* You are one of the few witnesses who have appeared before us advocating adult franchise. Supposing administratively it may not be possible to enfranchise all the adult population of 21 years, do you consider we can raise the age limit to 25 or 28 so as to make it sufficiently manageable?—Before I answer that question I beg to submit that I have mentioned two schemes which though allied are yet quite distinct.

12. I am talking of adult franchise?—As I have estimated the number would not exceed 10 per cent., but if your calculation turns out right I do not mind going up to 25. If it is necessary I would be prepared to do that.

13. *Diwan Bahadur Ramaswami Mudaliyar:* I understand that the scheme of adult franchise which you propose corresponds to the present Congress franchise. Am I right?—Yes, I believe so.

14. In the Congress organization any adult who pays 4 annas becomes a member?—That is how they work it.

15. You have adopted that system?—I do not know whether I have adopted that system.

16. This system is exactly the same. You don't think there will be a complaint if your proposal is accepted that this will give dominance to the more wealthy people?—I don't think so. This will give dominance to the politically-minded people.

17. You don't think there will be any objection that the advanced classes who are supposed to be politically-minded people will get an advantage over the backward classes who are not sufficiently politically educated?—They will try to take advantage, but I think under the system suggested no backward class or no minority classes can be shut out. It is only a case of paying their 4 annas.

18. You don't think, at any rate so far as the depressed classes are concerned, that even these 4 annas would be a very serious factor?—I think in my province the depressed classes are so much advanced that they might put up a serious fight, pay the money and come in.

19. It has been suggested that some candidates might pay up their fees and get the form signed by the voter?—You mean persons interested might foot the bill.

20. And the voter would thereby be under an obligation, moral no doubt, to vote for the particular man who has seen to his enfranchisement?—That is, a person buys the votes. It would be a matter of corrupt practice. You have got provisions against that. The possibility of corrupt practice is there even to-day.

21. You would make that a penal offence if anybody apart from the voter pays the money for registration?—Yes, I would.

22. I understand you to suggest that if a voter having got himself registered does not go to exercise his vote, there might be a penalty attached?—I think the idea that generally prevails is that all people want adult franchise. Personally I do not think that every individual really cares for the

vote so much. I am prepared to go to the extent of laying down something like a reduced fee in the case of a person who has been registered as a voter and goes to and records his vote at the polling booth; but in the case of a registered voter who does not go to the polling booth to record his vote I would make him pay a double fee when he wants to get himself registered next time.

23. Then you contemplate people getting themselves on the voters' list every time the electoral roll is revised? They would not be on the electoral roll permanently paying 4 annas on one occasion?—If we take the procedure adopted in the University constituency I do not think there will be any objection. In the University constituency graduates can get themselves registered at every election by paying a small fee and, by paying a larger fee, can get themselves registered permanently for life.

24. You are suggesting the practice which obtains in registered societies where a person who pays his subscription year by year is entitled to vote?—Yes.

25. There will be therefore nothing unusual in that?—No.

26. Are you satisfied that adult suffrage is administratively impracticable at the present moment?—Adult suffrage I have advocated in the case of people getting their names registered on payment of 4 annas.

27. My question is different. Do you think complete adult suffrage by direct election is administratively impracticable?—With the machinery at present available it is not possible; but it is quite easy to bring in non-official and other machinery into work which will take some time. To-day it is not possible.

28. On the matter of non-official machinery, what is your view, as a member of the public, with regard to the attitude that will be taken by the public towards non-officials, pleaders and so on being appointed as presiding officers?—I do not think there will be any difficulty at all.

29. There will not be any strong objection from the public?—No. I do not think so. Individual objections there have always been and there will always be even in the case of the official agency. Barring individual objections I should think that there will be no objection to bring into use non-official agency of the various kinds that we have been speaking about this afternoon.

30. Can you indicate the class of non-officials who could be made use of in this connection?—Lawyers, Honorary Magistrates, Malgazars, Landholders, Schoolmasters and so on.

31. Can you tell us the class of officials other than those at present acting as presiding officers who might be got to occupy these portions in future?—There are the Public Works Department officers whom nobody has mentioned till now. Overseers can do this work.

32. Revenue inspectors?—Yes. And there are the Excise Department people and the Forest Department people available in all districts.

33. Some Forest Department people have been included in the list furnished by the Provincial Government?—In fact I will take the Civil List and include them all.

34. Will you please give us a list in writing to-morrow?—Yes, I will go through the Civil List and give you a list of non-officials who may be got to do election work.

35. In the matter of indirect election, I gather from the note you have given us that the indirect or grouping system in some form has been in existence for 50 years?—Yes. That is in the case of district councils. We have got in our province municipalities which deal with the urban areas and district councils covering rural areas. These district councils are themselves elected from the local boards and the members of the local

boards are elected directly by the people. A district is divided into three or four tahsils or sub-divisions as you call them with a local board for each sub-division. Elections are held to these local boards in the direct form and after these boards are thus formed, they return a certain number to the district councils. That is what you have got in this province.

36. It is something like nomination?—It is election by members of local boards.

37. It is working smoothly?—Yes, for the last 50 years there has not been a single objection raised against it.

38. Is this system well-known to the general public?—It is well-known. It has been in vogue in all parts of the province for the last 50 years.

39. *Major Milner:* About the system of registration proposed by you I understood you to say that you will have a thousand people appearing before you; you will register them all on getting the fee from them and give them a receipt for the fee?—Yes.

40. The receipt might be an authority too?—That would be not only an authority for them to vote, it would also very much simplify the procedure. What I would do is this: I would issue receipt books in triplicate, with the name of the voters, father's name, age, address, caste and other things described therein, to all the Patils, Revenue Inspectors, Mukhadams, Lambardars, etc. It will be their duty to receive fees from persons desiring to be registered as voters and issue one copy of the receipt. So that the question of identification can be dispensed with.

41. With whom would the voters register?—With the village officials.

42. Would you like to have higher officers for this registration?—I should think that the officials I have mentioned would suffice. I think they ought to be very reliable.

43. On the matter of this regimentation, you get a thousand of them in an open space and you read out presumably the names of the candidates on the list and get those who are in favour of a particular individual on one side and, after recording their selection in this manner, you just dismiss them?—That is not what I have said. I will get a hundred or so of them to vote by show of hands and once they have voted in that way I will put them out of the group. I will then take up the next group and so on.

44. That will ensure their not exercising the franchise twice?—Yes.

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45. *Khan Bahadur Aziz-ul-Huque:* You prefer the direct vote?—Yes, on the system I have advocated.

46. If the right is given, would you like to vote for a candidate yourself or would you entrust it to a third person?—I do not want to be caught that way. If you mean to say that we are going to have the entire adult population going to the polls next time and you cannot arrange for it, that is another matter. In enfranchising the entire adult population to-day, there are difficulties. To avoid that I would go back to the indirect method.

47. Your conclusion is that if every man can exercise his vote directly it is much better than indirect election?—It means only one election and in the other case, it means two.

48. Which do you prefer?—Undoubtedly one is better than two.

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49. *Mr. Tambe:* You said in answer to a question that you do not want any regular electoral roll for election?—Yes.

50. Who is the officer that should decide whether a particular individual is entitled to vote or not?—Well. The village people will all assemble together. If I were the officer in charge, I will just get all the elders there

to come round me and ask them to tell me how many of those assembled there are minors. The minors will then be asked to go away. After this I will ask them to tell me to which village they belong and I will record it. They will more or less be village groups that will be appearing before me. If there is any doubt regarding the age of a particular villager I will decide the case summarily in consultation with the elders around me.

51. Your proposal assumes that there will be joint electorates?—Yes.

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52. *Mr. Butler:* As regards the system of indirect election which you have proposed, there seems to be a good deal of difference between that and the one which is obtaining in your province for local board election. You propose that a voter should come on to the secondary list and that the persons on the secondary list should elect members to the Council. But in the elections to the local boards, the candidates go on from body to body and not from list to list as suggested by you. I think therefore it is difficult to base your argument for indirect election from the experience of local boards?—I personally do not see the difference except that in the indirect elections that I am speaking of, there is absolutely no local body or anything for the secondary voter except that he votes for the Legislative Council. He does not himself form a body except the body of secondary electors. In principle, it does not, to my mind, make any difference. It is only indirect election every time.

53. Your idea of 4 anna franchise is the same as that of the Congress?—Yes.

54. The Congress elections take place from body to body?—Yes.

55. Your idea is, instead of electing persons from body to body, to elect them from list to list and on to the Legislative council?—Yes.

56. It is a different system of indirect election?—Yes.

57. All your answers proceeded on the assumption that it is an indirect election?—If that is your only objection to it, I think you might form district councils out of these, but they will be too unwieldy to work. You will have a large number of secondary voters.

Diwan Bahadur Ramaswami Mudaliyar: His scheme of 4 anna voters is direct election. There is no question of persons going from list to list. The group system is the indirect system.

Mr. Butler: But he says in his memorandum: 'This method of registration of voters coupled with the *indirect system of* election suggested by me in my minute of dissent ought to yield very satisfactory results.'—(*Witness*) I have modified that in detail to-day. I have come to the conclusion that the number of electors that will be produced by voluntary registration will be so small that it will be possible to deal with them directly. Therefore what I am advocating to-day is a slightly different system from what you find in my note.

58. You want both, the direct 4 anna system and the indirect group system?—Not both at the same time. The one as an alternative to the other.

59. *The Hon'ble Mary Pickford:* In grouping the adults, would you mix up males and females, or would you have separate groups for females?—Mixed groups.

60. You think that women would be returned as secondaries?—Undoubtedly.

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Memorandum submitted by Mr. S. M. RAHMAN, M.L.C.

I.—PROVINCIAL LEGISLATURES.

1. Extension of Franchise.

(*a*) As far as the interests of the Muslim community are concerned, adult suffrage is a necessity. All the important political organizations of the Mussalmans are wedded to this view. If the introduction of adult suffrage is not practicable at present, the electorates should be so constituted as to enfranchise as large a number of Mussalmans as possible. As Mussalmans are comparatively a poor community, I think, the property qualification, if at all, should be the lowest. It will not be difficult to enfranchise 10 per cent. of the total population. If all the voters of the municipal committees and taluq boards are entitled to vote for the Provincial Councils, the existing franchise for the Provincial Legislatures can easily be extended so as to include 10 per cent. of the population in the electoral roll.

(*b*) In view of the rampant mass illiteracy, such an electorate cannot be expected to cast an intelligent vote. Even the average voter in the existing electorates does not realize the value of his vote. But this is an inevitable evil, which cannot be avoided during the stage of transition. The diffusion of primary and secondary education in the lower strata of society will, in course of time, minimize this evil. Even in the civilized countries of the West, the average Parliamentary voter does not possess sufficient political education for an intelligent exercise of his or her franchise. He or she is swayed and influenced by numerous extraneous consideration, which it would be futile to enumerate here. There are certain evils of democracy which no constitution can altogether eliminate. Education can only minimize them. It is because of this that mass education is deemed a condition precedent to the success of democratic institutions.

(*c*) There is no reason why such an amplified and enlarged electorate embracing 10 per cent. of the population should be unmanageable, when arrangements can be made for much bigger constituencies in England, comprising thousands of voters each.

(*d*) As I have answered (*b*) and (*c*) in the affirmative, no reply to this is necessary.

(*e*) The Franchise Sub-Committee of the Round Table Conference have already decided that the goal of adult suffrage should not be reached immediately. Failing adult suffrage, as large a proportion of population as is practicable should be enfranchised. About 25 per cent. of the total population can, without much difficulty, be enfranchised, if the existing property qualification of the urban and rural voters is reduced by 50 per cent.

(*f*) I don't think that the system of "group electorates" will be feasible. It is also not desirable in the broader interests of the country. I am against intermediate electoral colleges. They are apt to make the machinery of elections complex and cumbersome. The scheme is further likely to retard the political education of the masses, without which representative Government cannot successfully function.

2. Franchise Qualifications.

(*a*) There is not any marked disparity in the operation of the franchise qualifications in the areas with which I am acquainted.

(*b*) The present property qualification should be considerably lowered so that each community—especially the poverty-stricken Mussalmans—may be given a voting strength proportionate to its numbers.

Memorandum by Mr. S. M. RAHMAN. [*Concluded.*

(*c*) If adult or universal suffrage is not immediately introduced, some kind of property qualification, however low it may be, will have to be fixed upon.

(*d*) The introduction of an additional educational qualification would, no doubt, be desirable, but, at present, some communities are educationally much backward. They are, therefore, likely to labour under a handicap, if a qualification based on education is made compulsory. Free and compulsory primary education must precede the introduction of this qualification.

(*e*) I am in favour of retaining the existing military service qualification and extending it so as to include service in the Auxiliary and Territorial Forces.

3. WOMEN'S SUFFRAGE.

(*a*) I am in favour of increasing the women's electorate in the way suggested, provided proper measures are adopted for the recording of the votes of Pardanashin ladies. The system in vogue, at present, precludes almost all Muhammadan ladies from exercising their franchise. The existing deplorable state of affairs in the matter should be immediately remedied. The establishment of Purdah polling booths is not an impracticable proposition, as is erroneously thought.

(*b*) I am against the group system as I have already stated in a previous paragraph.

4. REPRESENTATION OF THE DEPRESSED CLASSES.

An important section of the depressed classes have been demanding separate electorate for the effective safeguard of their interests. If the privilege is conceded to the Mussalmans, there is no reason why the depressed classes should be deprived of the right, especially when they deem it necessary during the period of transition. I am against the group system of representation.

5. REPRESENTATION OF LABOUR.

In areas in which labour is organized, the labour unions should have a right to return members to the Provincial and Central Legislatures. Seats should be allotted on a population basis.

II.—THE FEDERAL LEGISLATURE.

6. ALLOCATION OF SEATS TO BRITISH INDIAN PROVINCES.

(*a*) I agree with the proposal.

(*b*) I think the franchise qualifications should be different. The property qualification—in case adult suffrage is not introduced—for the Lower House of the Federal Legislature should be double that of the Provincial Legislature.

(*c*) I am in favour of direct election for the Federal Legislatures. The constituencies are likely to be of enormous size, but this cannot be helped. These enormous constituencies would tend to discourage the present pernicious system of house to house canvassing and the candidates would be compelled to run their elections on purely party lines. For the success of democratic institutions in India, formation of political parties with definite programmes is an absolute necessity. The personal factor should, as far as possible, be eliminated from elections.

Memorandum submitted by Mr. M. Y. SHAREEF, Bar.-at-Law, M.L.C., Nagpur.

PROVINCIAL LEGISLATURES.

In view of the fact that the principle of responsible Federal Government, subject to certain reservation and safeguards, has been accepted by His Majesty's Government, and that the Governors' provinces are to become fully autonomous in carrying their own policies in their own sphere, it is necessary in my opinion that while the Government is working out details of the Federal Government and the Central responsibility there should be no delay in the grant of an immediate provincial autonomy. Muslims are one with the other communities in the demand for central responsibility for India but as this is bound to take time, the provinces should not have to wait any longer and immediate provincial autonomy should be granted.

1. Extension of Franchise.

Responsible opinion in the country is that India is not yet prepared for adult suffrage, which must no doubt be the goal and should ultimately be attained. But it is not practical politics to talk of it under the present conditions. The only safe and sound course is to increase the franchise to between 10 to 15 per cent. of the population with provisions in the constitution which would automatically enable each province to increase it to 25 per cent. and thereafter to 50 of the population, if a resolution by two-third majority is passed by provincial legislatures after say every ten years, and thus ultimately the adult suffrage may be attained.

(*a*) Property qualifications and education qualification up to primary certificate standard are alone likely to give the required increase of the electorate.

(*b*) This increase would not result in any appreciable difference in the standard of the electorate and it is submitted that such an electorate will be capable of casting an intelligent vote.

(*c*) There is no reason why it should not be possible for arrangements to be made after the extension of franchise. In fact such an electorate would be administratively feasible.

(*d*) This scheme of indirect election has both advantages and disadvantages but as the latter out-weighs the former it does not seem advisable to resort to this method. This by no reason could be adopted as a substitute for separate electorate for Muslims and other minority communities, which need special safeguards and protections.

Besides this system would involve an enormous amount of expense, as candidates will have to make arrangements not only for direct but also for indirect elections. Apart from expense, administratively also it does not seem to be a practicable proposition. Villages are not always homogeneous units and are inhabited by men following not only different professions and callings but also diverse religious beliefs, and the existing evils will be multiplied ten-fold by multiplying the number of elections. There will not be direct connection between constituents and their representatives, and the arrangements for organising elections for groups of 20 or more persons in the enormous rural areas will have to be made by the candidates themselves. In direct elections, the influence of castes is not so noticeable as it would be in the indirect elections by groups. However provision may be made in the constitution whereby the local legislatures should be empowered to substitute or include indirect elections if all the minority communities represented in that legislature have agreed to the change by a two-third majority.

Memorandum by Mr. M. Y. SHAREEF. [*Continued.*

2. FRANCHISE QUALIFICATIONS.

(*a*) There is a disparity between urban and rural areas under the existing arrangements, and this should be removed. The franchise qualifications of rural electorates should be so lowered that the proportion of rural voters to the rural population is not lower than the proportion of the urban voters to the urban population. The present disparity is invidious, and having regard to the fact the rural masses have much larger interests in the country it is only right that they should have at least the same opportunity of political training and in determining the fate of the election as those living in Urban areas.

(*b*) Each community, *i.e.*, the Hindus and Muslims like the urban and rural constituencies, should be given voting strength proportionate to its population strengh. The only way is to lower the franchise qualifications. But for this purpose the depressed classes should not be regarded as a "community". The positions of Hindus and Muslims should only be considered.

(*c*) *and* (*d*) These are covered by what has been stated in connection with Question No. 1 (*a*) *supra*. Property qualification is undoubtedly a suitable test and cannot be dispensed with, but should not be the only test. We should add wage-earners.

Education.—A qualification based on education ought certainly to be introduced. Thus all who have passed primary standard or received Madrassa education should be given a vote.

(*e*) Yes, the existing military qualification should be retained and it should be extended so as to include service in the Auxiliary and Territorial Forces, to which not only Anglo-Indians and Christians but other communities should also be admitted.

3. WOMEN SUFFRAGE.

The question of women's suffrage is a difficult one, and must be given due consideration. Muslim women on acount of the purdah system in vogue in the community, would not record their votes unless strict purdah arrangements are made and women polling officers and supervisors are appointed. Besides it would also be necessary that 15 per cent. of the seats that may be reserved for women should be allotted to Muslim women as in the case of men.

4. DEPRESSED CLASSES.

Depressed classes should have separate representation like the Muslims. If only seats are reserved for depressed classes out of Hindu constituencies, then Hindus will return barbers, sweepers and others to the Councils, who would be amenable to their influence.

5. REPRESENTATION OF LABOUR.

The proposed widening of the basis of franchise would provide adequate representation of labour in this Province, and especial constituency is not therefore required. This would result in plural voting and should not be allowed.

6. FEDERAL LEGISLATURE.

(*a*) Moslems and depressed classes and other minorty communities, who must have separate representation as a safeguard and protections for themselves, should likewise have separate representations in the Federal Legislature. (Moslem community, nay, all the minorities, would be opposed to the principle of proportional representation through single transferable vote

for election to upper chamber. They must be granted separate representation in the upper like the lower chamber.

(*b*) On the whole it will be more practicable and desirable to keep the franchise qualifications for the lower chamber of Federal Legislature as well as the Provincial Legislatures the same. This will avoid a great deal of complexity which exists at present. Common electoral rolls should be compiled for both. No doubt the number of voters will then considerably be increased, but it will be much easier to organise them for the purpose of voting at elections.

In case common franchise and electoral rolls are not acceptable then as an alternative, it is suggested that the existing franchise qualification for the provincial legislature may be adopted for the Federal Legislature lower chamber, and the franchise for the present Legislative Assembly for that of the upper chamber.

(*c*) Indirect elections would have the same disadvantages as in the case of group elections and it would be more advisable to stick to direct election in preference to the indirect.

GENERAL.

The Muslims and other minority communities should have separate representation. Joint electorate with reservation of seats would not at all give them the necessary safeguard and protection. Time is not yet ripe to do away with communal and separate representation.

HISTORY OF SEPARATE REPRESENTATION OF MUSSALMANS.

(*i*) In 1888 Lord Dufferin held the view that in a country like India no principle of representation other than by interests is practically possible.

(*ii*) In 1892 Lord Lansdowne's Government wrote:—"The representation of such a community upon such a scale as the Act permits can only be secured by providing that each important class shall have the opportunity of making its views known in Council by the mouth of some member especially acquainted with them".

(*iii*) In 1908 Lord Minto's Government followed the predominant opinion and they pressed for an important extension of the communal principle.

(*iv*) In the joint report (Montagu-Chelmsford report) the authors no doubt criticise the system of separate representation as they are opposed to the teaching of history; that they perpetuate class division; and that they stereotype existing relations. They therefore regarded the system of Communal representation as a very serious hindrance to the development of the self-governing principle—paras. 228, 229 and 230. But with all this they felt constrained to face the hard facts, and they observed "much as we regret the necessity, we are convinced that so far as the Mussalmans at all events are concerned the present system must be maintained until conditions alter, even at the price of slower progress towards the realization of a common citizenship". This was in 1919.

(*v*) A review of the history is given in Appendix V at page 183, in the report of the Statutory Commission. It is therefore submitted that no constitution without a provision for separate representation both in the provincial legislatures and the upper and lower chambers of the Federal Legislature would be acceptable to the Mussalmans. The Communal outbursts in th country and the opposition of the Hindu members to any measure or motion affecting the Muslims in the provincial legislatures and the Legislative Assembly and committee meetings are standing proofs of the deep-rooted prejudice against the Muslims, and they shall not be safe without separate representation as a safeguard. At present at least time is not ripe to do away with the separate representation.

Memorandum by Mr. M. Y. SHAREEF. [*Concluded.*

Remedy.—In future efforts should be made to make necessary provisions in all the primary schools, secondary schools and colleges for the teaching of Urdu, Persian and Arabic so as to avoid the necessity of establishing or opening separate denominational schools and to enable both the Hindus and Muslims to receive their educations in common schools. This would give a very healthy result. Much of the prejudices which at present exist would disappear on account of close contact. I am strongly of opinion that the system of denominational schools is a vicious one, and it has kept the communal rancour and prejudices going strong. The sooner it is done away with the better it would be in the interest of the country. The abolition of this vicious system would go a long way towards paving a way for joint electorates in course of time.

The next question that arises is what proportion of seats should be allotted to the Muslims in the Provincial Legislature and the upper and lower chambers of the Federal Legislature. Under the Congress-League Scheme, which is now commonly known as the Lucknow Pact of 1916, the Muslims in the Central Provinces were allotted 15 per cent. It is asserted by the representatives of the majority community that that pact has no binding force any longer because the Muslims had rejected the Nehru Scheme. But they forget that this proportion was not assured to them in the Nehru Scheme but under the Congress-League Scheme of 1916, when the two premier organisations had held their annual sessions at Lucknow. That pact has formed the basis of the representation assured to the Muslims under the present constitution. The Southborough Franchise Committee also accepted the allocation of seats proposed in the Lucknow Pact, and its recommendations, in which the Government of India had concurred, were accepted by the joint Select Committee and Parliament. The result, therefore, is that the proportion of 15 per cent. of the seats for the Muslims of the Central Provinces and Berar is to say the least their acknowledged and well recognised right, and the attempt to go behind it only demonstrates the adverse and hostile attitude of the majorities. The Muslims of the Central Provinces and Berar are, therefore, entitled to have the 15 per cent. of the proposed 110 seats of the Provincial Legislature and the 7 and 12 seats of the Upper and Lower Chambers of the Federal Legislature respectively. They shall thus have—

(*i*) 16·5 seats, which in round figures should be 17 and not 16, in the Provincial Legislature;

(*ii*) 1·05, *i.e.*, only one seat in the Upper Chamber. In this connection it is submitted that it would be more consistent with the principle of democracy and representation of different interests if one seat each is allotted to Central Provinces and Berar.

(*iii*) Two seats in the Lower Chamber, which may be distributed between Central Provinces and Berar.

CENTRAL PROVINCES.

Dated, Bombay, 15th March, 1932.

PRESENT:

ALL MEMBERS OF THE INDIAN FRANCHISE COMMITTEE AND OF THE CENTRAL PROVINCES PROVINCIAL FRANCHISE COMMITTEE.

Mr. S. M. RAHMAN, M.L.C., Representing the Berar Muslims.
Mr. M. Y. SHAREEF, Bar.-at-Law, M.L.C., Representing the Central Tanzim Committee, Nagpur.

1. *The Chairman:* Are you giving evidence in your individual capacity or are you representing any association?—(*Mr. Rahman*): I am representing certain constituencies in Berar. (*Mr. Shareef*): I am giving evidence on behalf of the Central Tanzim Committee of Nagpur. There is an organisation of that name.

2. I gather you are both in favour of the extension of the franchise to women, 10 and 15 per cent. of the population.—(*Mr. Rahman*): Yes.

3. You are, neither of you, in favour of the group system?—No.

4. I am not sure whether you are agreed on the question of the educational qualification?—(*Mr. Shareef*): Our ordinary experience is that those who have the property qualification ordinarily also have the educational qualification and therefore to a certain extent there would be overlapping, but however by giving enfranchisement to men who have got the primary certificate we shall also be giving stimulus to education. I know the Moslem community and the depressed classes particularly would be at a disadvantage as the two communities have not the same advantages and have not the same educational facilities as the other communities have but with all that I would support the educational qualification.

5. You would not, however, draw a distinction between the educational qualification for men and those for women. In a number of provinces it has been suggested as one way of getting enough women on the rolls that the qualification for women's votes should be the ability to read and write and for men there should possibly be a higher qualification?—After all what is the idea of giving franchise. The idea is to educate them and also to have only those people as voters who would be able to control their representatives for the councils. If women who could only read and write were to be allowed enfranchisement, I in all humility would submit that as their sphere of influence is already circumscribed, they have not the same advantages as men and they would not be able to contribute very intelligently or return only those who in turn would be able to contribute their quota in the administration of the province. The Prime Minister's message is that we must try and return such members at least a sufficient number, who would be able to form a ministry as well as be able to form an opposition so that in case of an emergency they can form an alternative government. If we have these ideas before us I think a woman who can only read and write will not be able to exercise her vote so intelligently as one who has passed a certain test examination.

6. That is one aspect; the other aspect is that the interest of the voters should be considered by the Legislature and unless you enfranchise enough

15th March 1932.] Messrs. S. M. Rahman & M. Y. Shareef. [*Continued.*

women they will go unrepresented and unconsidered?—The interests of men and women are so much inter-dependent that a man could never overlook the interests of his better half and now especially as the outlook has already undergone a change and very few people in the country are desirous of keeping them under subjection as they did in the past and they would naturally like to advance their interests in the matter of education, health and so on. I think their interests are safe but however as we would like to have the benefit of their opinion and co-operation in the Councils we should try and give enfranchisement to those who will be able to exercise it in an intelligent way.

7. I see you attach great importance to have proper *purdah* arrangements for polling booths for women?—Yes, in enfranchising any community or sect the object is to educate them, then I don't see why *purdahnasheen* women should be excluded by the mere fact that there is no *purdah* arrangement.

8. Do you think that in the Central Provinces it is possible to obtain an adequate number of women presiding officers and polling officers?—As in the sister communities there are many educated sisters they could lend their services as supervising officers.

9. It has been suggested in other places that while it is desirable to have separate polling booths for women, if this is not practicable, separate entrances may be provided and an assistant presiding officer, a woman, may be appointed to help the women, in which case they would be able to use the same booth without much difficulty?—In regard to *purdah* observing communities it is regarded as objectionable to talk to a man even with a veil on. No doubt, in course of time these prejudices will disappear and they are fast disappearing.

10. *Sir Zulfiqar Ali Khan:* You think that Muhammadan women are not able to go to the polls?—Not unless there are *purdah* arrangements.

11. What about educated women?—Barring about 5 or 6, I know others who are educated and who observe *purdah* just as strictly as their uneducated sisters.

12. You think that if *purdah* arrangements are made at the polling stations Muhammadan women will come out in large numbers?—They would. In a contest between a moslem and a non-moslem as in a case in Ceylon where the contest was very stiff the women did come out and saw their candidate through; likewise they could be got round and induced to come and record their votes.

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13. Do you think if Muhammadans are enfranchised on property and educational qualifications that will produce quite an adequate number of women voters?—My own opinion is that that ought to produce a large proportion of women.

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14. *The Hon'ble Mary Pickford:* You said in reply to the Chairman that you were not in favour of women voters who had merely the ability to read and write on the ground that they should not produce an intelligent vote; but I want to put before you these considerations: we are told that Muhammadan ladies are educated in their own homes and therefore they reach a far higher education than a person who has passed the first primary examination but have no certificate to show and it is on that ground that a literacy test is suggested, and further a woman before getting her vote would have to apply to be registered and would have to show that she can read and write and therefore you would only get such persons to apply who were already interested in politics and therefore presumably capable of taking an intelligent interest. In view of those considerations would you modify what you have stated against this literary test?—Yesterday the Chairman of the Pro-

15th March 1932.] Messrs. S. M. RAHMAN & M. Y. SHAREEF. [*Continued.*

vincial Franchise Committee named a franchise test in regard to men. I would say that the same could be applied to women. I know in my note I have also suggested that in case of women who have not received their education through recognised schools but have received education equal to the primary test they ought to be brought on record.

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15. *Sir Ernest Bennett:* In your statement you say " about 25 per cent. of the total population can, without much difficulty, be enfranchised, if the existing property qualification of the urban and rural voters is reduced by 50 per cent. ". Could you actually poll 25 per cent. of the total population? Have you got the machinery?—No, we have not got the machinery. At present we can arrange for only 10 per cent.

16. *Sir Muhammad Yakub:* In order to make provincial autonomy a success what percentage of the population ought to be enfranchised?—10 per cent.

17. If the qualifications which are proposed by the Central Provinces in their report are accepted, do you think 10 per cent. of the Moslems will be enfranchised in the Central Provinces?—(*Mr. Rahman*): As I have said the depressed classes and Moslems have not got the property and educational qualifications, to some extent, which the other communities have and therefore I do not think we shall have 10 per cent. of the Moslem community under the electoral roll.

18. You would provide different qualifications for the Muslims?—(*Mr. Rahman*): In your questionnaire there was a sort of direction that we should try to devise uniform qualifications and at the same time produce a proportion according to the strength of the different communities. But, I think, it is not possible because the financial condition of the different communities is not the same and we shall have to devise different qualifications which are lower to a certain extent in the case of the depressed classses as well as the Muslims.

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19. *Mr. Tambe:* You stated, Mr. Shareef, in reply to a question that 10 per cent. of the Muslims would not be enfranchised under the proposed qualifications. Would you please see the statement* given by the Government? The total population of the Muslims is 684,000 while the number of persons that would be enfranchised would be 71,000 and odd. It would work to more than 10 per cent.?—I have not totalled these up.

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20. *Khan Bahadur Aziz-ul-Huque:* Will you kindly see page 1 of the note on the Census of the Central Provinces and Berar. I find that the total Muslim population in the Central Provinces and Berar is 682,000 roughly and I find that of these practically half of the people live in urban areas. It is roughly 307,000. If you will turn to the next page you will find that though half the people live in urban areas and half in rural areas the voting strength is 15,000 roughly in the rural areas and 3,500 roughly in urban areas. What is this disparity due to?—It is on account of the disparity in the financial condition.

21. The point is why is it that in spite of half of the people living in urban areas the voting strength as compared with the rural areas is so low?—They have not got the qualifications.

22. Therefore so far as the present franchise is concerned it has operated adversely so far as the urban Muslim population is concerned?—It is for that reason that the same uniform franchise would not bring 10 per cent. of the Muslims on the electoral roll. Unless we lower the franchise for the Muslims and for the depressed classes too, it won't be 10 per cent.

* *Vide* Statement printed at page 277, Vol. III.

23. The present qualifications have, I take it, adversely affected the urban Muhammadans?—Yes.

24. In view of that fact, have you got any suggestion to make as to what qualification in future should there be in urban areas with a view to do away with this disparity?—If we have had statistics one could submit a statement showing what should be the franchise as regards the Muslims.

25. Would it be possible, in view of the figures which I have placed before you and in view of the proposals which your Committee has made to indicate its bearing on the Muslim franchise in the Central Provinces?—I would try to.

26. Could you tell me what are the reasons that in the Chanda and Wardha districts where the Muslim population is 34,000 the total number of voters is roughly 4,700 under the proposed qualifications while in the district of Yeotmal where the population is 52,000 the total number of voters is only about 2,500? What are the special circumstances comparing one district with the other that makes 4,700 voters out of 34,000 in one district and only 2,500 out of 52,000?—It would show that the Muslims in Yeotmal have not got sufficient property or educational qualifications.

27. Therefore I take it that if you distribute the franchise uniformly in different districts it won't work?—No.

28. Can you tell me whether in view of this special qualification should be laid down in the case of the district of Yeotmal?—I would in that statement also mention this.

29. *Mr. Bakhale:* Mr. Rahman, you said that at present there is not enough material available to enfranchise more than 10 per cent. of the population. Supposing that about 25 per cent. of the population is enfranchised as you have suggested will there be any difficulty in creating the necessary material in your province for the purpose of polling arrrangements?—Polling arrangements can be made. Some difficulty may be experienced in backward districts.

30. You say 25 per cent. of the population can be enfranchised if the property qualifications are reduced by 50 per cent. Having regard to the question put and the answer given just now, we have found that the Muslim population may not be enfranchised to the extent of 10 per cent. if the whole population is enfranchised to that extent. Would you consider therefore an alternative proposal under which the population can be enfranchised to that extent. The proposal was to increase the age limit for the whole population so as to bring in all communities, castes and creeds to the required extent?—And do away with the property qualification altogether.

31. *Mr. Bakhale:* Instead of the age limit being 21 we raise it to 25 or 28?—That aspect has not been considered.

(*Mr. Shareef*): I find from the printed statement that an *ex*-Minister has made the suggestion, and I would make this statement that our experience shows that the younger generation is taking more keen interest in political matters than the older people and therefore I will say that it will serve no useful purpose having people who do not take any interest. We should have those who do take interest.

32. I would put it the other way. Suppose we disenfranchise the population above a certain age limit. The whole idea is to bring the electorate within a manageable limit?—(*Mr. Rahman*): I have not considered that.

33. We were told yesterday, Mr. Shareef, that under the qualifications proposed both by your Government and your Committee urban labour, apart from agricultural labour, would not be enfranchised to the extent to which it should?—Yes.

34. Having regard to that fact would you reconsider or modify your attitude as regards the representation of labour on the Central Provinces Legislative Council?—Having heard what was stated yesterday and having read the statements of witnesses who have given evidence I still stick to my opinion. After all labour is drawn mostly from the depressed classes.

35. It is not so. Mr. Fulay has pointed out that only 46 per cent. of the labour population comes from the depressed classes, and after all labour has a definite economic interest as different from the depressed classes who have got their own social and political problems to tackle?—I think the property qualification also includes the wage-earners' income. That is the definition now given at the Round Table Conference. You will find that the labour is drawn from the depressed classes and also from those who are wage-earners and therefore they have already got representation in the Council and yesterday there was a question as to whether any of the depressed class members on the local Council ever initiated any bill or any measure or moved a resolution affecting labour. The position is this that they have got a special member representing labour. The depressed class representatives have not therefore taken interest. If they were to represent not only themselves but also labour they would do all that has been done by the nominated member for labour.

36. Are you connected with any trade union in the Central Provinces?—No. I am a member of the Bar Association.

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Memorandum submitted by Sir M. V. JOSHI, K.C.I.E., Amraoti.

I confine my answers to method of direct or indirect election in rural areas—Question (*f*).

Indirect election is suggested as the rural constituencies are spread over wide areas so that enough polling officers may not be available and the voters are illiterate and new to the system of election. On the other hand, direct election is appreciated by voters, and would have great educative value in making rural units conscious of the value of their votes.

A system of direct election in villages—

(1) should be simple and understandable by ordinary rustics;

(2) should not take them away from homes or require long journeys for casting votes; and

(3) should be least likely to be abused as regards voters' identity and the names of candidates they vote for.

I suggest the following scheme which I submit fulfils these tests:—

(1) Every village to form a unit for electing a representative for a given area including the villages (*e.g.*, if one taluq be the area to be represented by one candidate, then every village in that taluq would serve as a unit for election).

(2) The election *not* to be by ballot but open.

(3) There will be as many groups of qualified and locally identifiable voters in a village as there are candidates; names of such candidates to be notified one week before date of election.

(4) The groups will be kept apart and names in a group will be listed for candidate A, in another group for B and so on. The names when taken down by village headman (patel) and patwari (local accountant) will be loudly read out and the list totalled up for each candidate will be sent to polling officer at headquarters and

posted publicly at the *chaudi*. The total of all lists for each candidate will be made at headquarters and results declared. If necessary a district board schoolmaster or literate person can be told off to help local village officers and can manage during one day about six villages near by. He will sign the local lists and those sent to headquarters. Abuse of authority by patel and patwari will be heavily penalized.

(5) Local voters' lists to be prepared by patel and patwari (as at present) and any further claimants not admitted by them will be disposed of by an itinerant settling official.

(6) Anybody interested as voter or candidate can apply to remove names from such lists of individuals not coming under qualifications laid down; but no fresh name can be added except on application of the voter interested.

Explanation of Reasons 1, 2, 3.

At present polling stations away from houses of villagers are at large distances, in some places 20 miles from the village. This discourages voters to leave home and cast a vote. Moreover, it has become very expensive to have to send motors to villages to mass voters and bring them in a lot; number of sub-agents to bring them is very large and the trouble is so great. By making a village as unit, voters will easily come to cast a vote.

2. Ballot may be sacrosanct in European countries but there are no reasons why an election may not be open. This latter will prevent fraud by making the voter come out with his vote and raise his moral stamina in having to declare for a man of his choice. This method is not without precedent. In elections for office-bearers and panch under village panchayats (which are statutory bodies in Central Provinces and Berar for local management of a village) this method is followed and no complaints of suppression or manipulation of votes when actually taken have been made. In fact, the thing is done in presence of all villagers and leaves little scope for fraud.

3. Names of candidates for election will be notified a week or ten days before the election. Time for election being a fixed one hour when voters must come or lose their votes, the groups for A, B, C, will be ready to vote.

Sir M. V. JOSHI, K.C.I.E., *Ex*-Member of Executive Council.

1. *The Chairman:* Could you give me some more information about your method of group election?—My method cannot be described as group election in the sense of the questions. Supposing there are three candidates I want a group for candidate A, candidate B and candidate C and then they are to be listed, their names and numbers to be taken and posted at the *chaudi* where everybody could know.

2. I do not quite understand. When you form a group for candidate A and candidate B, you have got to have some kind of roll. How do you form the group?—We say, who is for candidate A and I make that group; who is for candidate B and they say we 25 are for B. They go into the group for B.

3. You take the village as the unit?—Yes.

4. What would be the population of a village on an average in the Central Provinces?—In a small village it may be 250—men and women—and in a large village it may be 1,500.

5. What would be the group?—We call upon the people to say who are for candidate A and who are for him stand aside and that will be a group.

6. Would it be adult franchise?—It would not be adult franchise.

7. All the men and women in the village will come together?—As many as are on the roll, 10 per cent. or 15 per cent.

8. Would you call the voters together in the village?—Yes, and publicly declare that there are so many candidates asking for their votes. I would group together all persons who want to vote for 'A'. Similarly with regard to 'B' or 'C' and so on.

9. *Mr. Tambe:* Candidates for the Council?—Yes.

10. *Mr. Bakhale:* This is what is said in the memorandum. 'Indirect election is suggested as the rural constituencies are spread over wide areas so that enough polling officers may not be available and the voters are illiterate and new to the system of election.' Supposing the number of seats in the legislature is increased and the constituencies are made smaller than they are to-day, would you still suggest this method?—Yes, on the grounds that I have given.

11. *Diwan Bahadur Ramaswamy Mudaliyar:* If I understand your scheme, it is this: you have not attached importance to the question regarding the number to be enfranchised?—No.

12. Whatever the number may be, your scheme is to conduct election in villages without any formality of a ballot?—Yes.

13. That is to say, when the nominations are over, there will be a returning officer in each village who will mass all the electors—if it is adult franchise all the adults will be massed and if it is a limited franchise, the number on the roll will be massed—and ask them to choose the candidates, A, B, C and so on. The total number of votes which each one gets will be counted and simultaneously with this, counting will also go on. The return will then be attested by somebody in the village and sent up to headquarters. There, the total from the other villages will be added and the results of the election declared?—Yes.

14. According to it, adult franchise also is possible?—Yes.

15. Who will be the officer who will conduct the election in each of the villages?—The patel or the patwari.

16. The essential part of your scheme is that election should be open election and not by ballot?—Yes.

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17. *Major Milner:* In view of what my colleague has said as regards your experience, is this system of adult franchise in your view administratively practicable?—It is not administratively possible.

18 To what extent as regards numbers, is it possible you think?—The one given by the Government.

19. You approve of the one given by the Central Provinces Government?—Yes.

20. According to your scheme, is there to be an electoral roll?—Yes.

21. Would there be any difficulty in having that prepared?—No.

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22. *Mr. Chintamani:* The first of your suggestions is that there will be as many qualified voters in the villages as there are candidates?—Yes.

23 Who in your opinion will be the qualified voters?—The qualifications are laid down there.

24. You are in favour of adult suffrage and if that suggestion be accepted, what will be the qualification you will fix for a voter?—I have never said that I am in favour of adult suffrage. If what we get is adult suffrage, then I am suggesting a way to work it easily. My method of enfranchising I will mention if you want me to do so.

25. What is your personal opinion about adult suffrage?—At present I think it may not be possible. If it is going to be given, I have suggested a method for holding the elections under that system.

26. On the merits, you are in favour of adult suffrage. Then you think that it may not be practicable for administrative reasons unless the suggestions you are making are accepted?—Yes.

27. Apart from the question of what system or method is adopted, suppose you are asked to say whether, on the merits, you are in favour of adult suffrage under the existing conditions in India, what would be your answer?—I would say, no.

28. Then, in your opinion, what is the percentage of the population which at present may be enfranchised?—I have quite another method to suggest. I do not want either property qualification or literacy qualification or anything else. I would make the payment of a rupee for instance by any man who wants the vote as the franchise. In urban areas I would double that amount. That is how I would enfranchise the people.

29. Supposing the decision of the authorities concerned will be against adult suffrage, and in favour of the possession of some qualification, property or education, or both or either of them, will you still say that the system that you suggest should be introduced?—This is only to surmount the administrative difficulties or objections put in the way of adult suffrage.

30. If adult suffrage is not introduced?—Then my system will cover whether it is adult suffrage or not.

31. Supposing only 10 per cent. of the population is enfranchised?—Yes.

32. Supposing there are no administrative difficulties in conducting the elections when the size of the electorate is the same as it is now, would you then advocate the introduction of your system or the continuance of the present system?—The scheme I have proposed is easier under any circumstance.

33. In other words, even if you have no adult suffrage, you will have this system?—Yes, I will have this system whether it is adult suffrage or not.

34. From your knowledge of public opinion in the country generally and from your experience as a Member of the Government, do you think your proposal and the method of election suggested here, will find general acceptance?—It will be very popular.

35. Much propaganda will have to be done,—From the first they would understand it very easily.

36. You think people will generally like it?—Yes.

37. *Lord Dufferin:* Supposing in a village the Patil manipulates the list, how will you avoid it?—Well, the whole thing will be so publicly done and the list will be posted in the office of the Patil called *Chavadi*. There will be hardly any scope for the Patil to do away with the name of one voter or to add the name of a non-voter to the list.

38. At any rate he will be accused of doing some thing like that. The Patil will send up returns and these will be contested and you will have as many election petitions as there are villagers?—To minimise that danger I have suggested a local board teacher to attend 6 or 7 elections in as many villages. He should supervise the elections and sign the lists sent up by the Patils.

39. That would be above suspicion?—Mostly.

40. What will you do for the urban population? You take the people of Nagpur. Where will you get them all together?—In a park.

41. You would divide them up by wards?—They will be in groups.

42. There are a number of constituencies in one city?—For each constituency this process will be repeated.

43. How will you make sure that the voters from one constituency do not come and vote in the wrong ward?—I expect them to be identified even in towns.

44. It is very difficult to identify 25,000 people in a park?—I think it is true. I have not considered that point.

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45. *Mr. Butler:* You object to the indirect system. Have you any objection to a village sending representatives to vote in another place?—Our experience is that if you want to take them away from the village they are not inclined to go. Even if you send them conveyances for going to the polling booth they do not go.

46. Do you think it is easier for a village to elect its own representative?—It will not be difficult. They might or might not go to another village simply for voting especially when there are no good roads connecting the villages.

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47. *Mrs. Subbarayan:* Do you propose men and women to vote together at the group elections?—They will be separate and not mixed with men.

48. Suppose it is decided that the minorities should have separate electorate, then how will the elections be held?—Groups will be formed of those people for whom a candidate has to be chosen.

* * * * * * *

49. *Rai Bahadur K. S. Nayudu:* Do you say that with the property qualifications you always get satisfactory voters?—I do not know what test will be a satisfactory test of intelligence.

50. There is a certain percentage of illiterate voters possessing property qualifications?—Yes.

51. Do you think that politically-minded classes will come in under the method of election you have suggested?—Yes, certainly.

52. Will that electorate be a more intelligent electorate than the electorate of persons qualified by the possession of property?—I do not think it will be a more intelligent one. But it will be one which wants political power. That would be clear.

53. For polling in towns, supposing elections take place on the method suggested by you in regard to rural areas, do you think it will be satisfactory?—Yes. There will be difficulty, but it will be minimised.

54. It will be possible to form wards?—Yes.

55. In that case you see no difficulty in towns?—None.

Memorandum submitted by Rao Bahadur N. R. KELKAR, President, Co-operative Bank, Ltd., Balaghat.

2. * * * * I took the opportunity of consulting the members of the Working Committee of the Bank at their meeting held on the 3rd instant and I beg to say that the views hereinafter expressed were generally shared by the members of the Working Committee who were present at the meeting. A few urged for immediate adult suffrage and direct voting.

Memorandum by Rao Bahadur N. R. KELKAR. [*Continued.*

3. Although the scope of the present inquiry is very much limited, I think it would not be possible to answer the questions immediately under investigation unless certain questions left over for subsequent enquiry are touched at least incidentally in the course of the replies to the present questions. I venture to think that reference to such other matters cannot be regarded as irrelevant.

4. I do not believe that there can be any responsibility in the Central Government or Provinces can ever be autonomous if their respective legislatures were divided into class and communal compartments. It is really a matter of regret that the representatives of different classes and communities have not been able to arrive at a common understanding relating to their respective representations. Under such circumstances it was, I believe, the duty of Government to take courage in both hands and give its decision beforehand.

5. I believe no one can reasonably hold the Government responsible for being under necessity to give decision under the circumstances. But so long as the Government itself chooses to be indecisive various classes and communities are bound to be equally so. If the Government really means to transfer the whole or part of their power to the Indian people the transfer must be subject to the conditions that the Legislatures are composed on the principle of " All for one and one for all ". If this is not going to be the case I do not think it worth while to waste one's time and energy on the consideration of these questions which are merely of a subsidiary importance. Personally I think that an ostensibly democratic or representative but really communal or class form of Government is much worse, perhaps, more dangerous than bureaucratic or even, perhaps, an autocratic form of Government.

6. Subject to these remarks I now proceed to pronounce my views on the questions now in issue. Extension of responsibility means and implies—Extension of franchise and education of the voters on a large scale. It would not simply be enough to extend the franchise but it is also necessary to take effective steps to educate the voters with a view to qualify them to realise their responsibility in exercising their votes. I shall attempt to suggest ways and means for both these parts of the question.

7. In extending the franchise we must not take into consideration administrative difficulties only but we must also bear in mind the difficulties or limitations of the candidates who will be expected to contest elections. In my opinion it will take a long time to organise in this country party funds for the purpose of contesting elections. Individual candidates who are capable of defending or advancing the cause of the people are generally persons of limited means. They have to fight the election with their own resources.

8. This circumstance ought to be borne in mind in considering the question of extension of franchise. The general suggestion, therefore, that I would make to meet this difficulty is that the constituencies should be compact and confined to as small areas as possible and the number of voters in a single general constituency should ordinarily be about 15,000 to begin with. This number even is likely to be regarded as comparatively a very large one. I do not, however, think so. As one of the main aims is to give an opportunity to all communities to express their views the property or other franchise qualification will have to be fixed as low as possible.

9. It is everyone's wish that the legislatures should be truly representative of the general mass of the population and not only of any particular class or community. All classes and communities, if possible every member of each class or community, should have an opportunity of expressing views on the needs of such class or community provided, however, that such needs are calculated to advance national interests and not to reduce people to

class or communal narrowmindedness. This point must be kept actively before their minds by those on whom ultimate responsibility for settling the franchise schemes will rest.

10. At present a little over 1 per cent. of the total population is enfranchised. It is proposed to extend it by a minimum multiple of 10 and a maximum multiple of 25. According to the recent census the total population of these Provinces including Berar is about 15,500,000. According to the minimum and the maximum multiple the total number of voters would be about 1,550,000 and 3,875,000 respectively. It is understood that the total number of members of the new councils would be about 110 but it is not known how many of these seats would be reserved for general constituencies. I am afraid that public protest against reservation of any seats for special interests such as Landholders, University, Mining and Trade and Commerce will receive no consideration and certain seats would probably be reserved for nominations.

11. Let us, however, hope that at least 100 seats in the new Council would be open for general constituencies, communal as well as non-communal. Each family is supposed to consist on an average of 5 persons 2 adults and 3 minors. Adults out of the total census would be about 6,200,000 half of which may be taken as males and the remaining half females. In my opinion it would be a fairly decent extension if to start with the franchise were extended to 10 per cent. of the Provincial population. According to local circumstances it may be reduced to about 6 per cent. and raised to even 25 per cent. Speaking generally the total number of voters in the general constituencies may be about 15,500 per constituency. This may be made up by enfranchising about 45 per cent. of the male and about 5 per cent. of the female adults. I venture to think that such an extension would prove to be workable. The merit does not lie in indiscriminate increase in the number of voters. The voters must be educated by constant propaganda and candidates or members must be in a position to be in frequent touch with their constituencies and voters.

12. I would, therefore, answer part (*a*) of question No. I in part No. I on the lines indicated above. Under my scheme about 25 per cent. of the total adult population would be at once enfranchised. Both parts of the recommendations of the Franchise Sub-Committee of the Round Table Conference will be achieved.

Question 1 (b) of part I.

13. Barring, perhaps, persons of certain classes commonly known as backward or belonging to the aboriginal tribes the intellectual level of the labour and cultivating classes is generally equal. They manage their affairs with common sense and intelligence. Their backwardness in certain social matters has never been noticed as an hindrance to their picking up new ideas. Political propaganda has created in their minds an awakening for power and independence. It is very difficult now to hood-wink them. They do not fall easy victims to the variety of influences that are brought to bear on them by interested individuals. The symptoms of communalism or individualism that are occasionally visible during election campaigns are more ostensible than real and speaking generally I believe that their ultimate votes are not swayed by these considerations.

14. Not only the registered voters but also other persons belonging to the class of voters are very inquisitive. They hold free consultations and try to form intelligent judgment both on the merits of the candidates as well as on their known programme of work. In spite of this it may be conceded that as a class voters can't be said to have invariably expressed well considered opinions on definite public issues. The real question to be considered is whether by proper propaganda and with proper opportunities

Memorandum by Rao Bahadur N. R. KELKAR. [*Continued.*

the people will be capable of casting an intelligent vote. My answer to this question is decidedly in the affirmative.

15. It is not proper to proceed upon the assumption that seems to underlie this question. If Government really means to transfer power to the people it must be prepared to enfranchise a much larger number of people and create opportunities and provision for their political training. It is by experience and practice that people learn to cast intelligent votes on political matters. It may be that at present undesirable or most inferior type of people manage to get into the legislative bodies. This is due partly to the boycott of these bodies by the best brains, fighters or debaters and very largely to the most questionable means which some people adopt during elections. To secure responsible and intelligent votes we must improve the present system or methods of elections.

16. I am strongly of opinion that no person should be allowed to contest elections except on party lines and as far as possible under the leadership of some responsible persons. Every candidates should be required to file along with the nomination paper a declaration which should contain the name and programme of work of the party under whose label he sails. Secret or *pardanashin* canvassing should be prohibited and severely punished. All canvassing must be done openly such as by means of articles in newspapers, issue of pamphlets and public lectures. Supply to the voters of conveyances of any kind should be prohibited and every voter should, except for good and valid reason the burden of proving which should rest on him, be under a statutory obligation to attend the poll and vote or suffer penalty for failure. Unless such drastic reforms are introduced and strictly enforced it is impossible to conceive of responsible Government. Elections must be run with as little expense as possible and responsibility therefor both financial and otherwise must be proportionately divided between voters and candidates. Both must be made to realise that the Government is theirs.

17. The aforesaid remarks are principally applicable to male voters. As regards female voters I am not in a position to give such an encouraging account. Under the Local Self-Government Acts in these Provinces as well as for the purposes of elections for the legislatures a number of females including even *pardanashin* ladies are enfranchised, our experience is that a small number of female voters exercise their rights. Combination of various reasons are responsible for this failure or apathy. Illiteracy, social customs the prominent one of which is the *parda* system, their complete dependence on their male relations who are generally the bread-earners of the family are some of the reasons why females have so far taken somewhat limited interest in the exercise of their rights of citizenship.

18. Needless to say that their political education generally is not very much advanced. My experience elsewhere is that they are so much under the social or domestic domination of their male relations that in very many cases their votes would practically be according to the inclinations of their male relations. Thus for all practical purposes a male is likely to have or enjoy multiple of votes instead of one. One person one vote should be our policy. Multiplicity of votes through indirect means should be discouraged. Such multiplicity is bound to be unfair to the competing candidates.

19. We have also to bear in mind the difficulties of recording votes of females who observe *pardah* or who according to social customs are prevented from appearing in public. If these difficulties could be got over and if effective means could be devised to impart political education and to prevent impersonations there seems no objection to enfranchise as large a number of women as possible. Mere increase in numbers would be of no significance if votes are not cast independently, intelligently and on strictly political and national lines.

Memorandum by Rao Bahadur N. R. KELKAR. [*Continued.*

20. Speaking for myself I am not against female franchise on an extensive scale but as at present advised I am inclined to think that it would be more workable and practicable if at present the franchise were confined to females belonging to communities who are free from the aforesaid social evils and who by reason of education, literary, political or otherwise can be expected to exercise independent and intelligent votes on national lines. The aforesaid discussion relates to the matter pertinent to this question. Other matter concerning women's suffrage will be discussed under appropriate heads.

Question 1 (C, D and E) of part I.

21. These may be dealt with together. We must not be terrified by administrative difficulties. Bureaucracy or dyarchy always magnifies difficulties and puts them forward as real obstacles even though they are nothing more than mere excuses for blocking further advance. Responsibility and power do mean and imply difficulties of various kinds. Difficulties concerned with franchise are but a trifle as compared with others of a most serious nature such as maintenance of law and order with the minimum of hardship and maximum of courage. In my opinion those alone should be regarded as fit for shouldering responsibility and power who will be prepared to face difficulties as they arise and devise suitable means to get over them.

22. There may be nothing wrong in placing before the public what appear to some to be difficulties. In considering these difficulties, real or imaginary, we must bear in mind that the universal opinion is in favour of adult franchise in the end. There may be some practical difficulties in putting this ideal in force at once. Nobody, however, can reasonably contend that this ideal should be reached by very slow processes or towards the end of the world. It must be reached within a reasonably measurable distance of time. This could be achieved only if we avoid from the very beginning the introduction or adoption of indirect measures such as are likely to prejudice or thwart the early realisation of the goal. I won't mind if the percentage of voters is slightly reduced in the beginning but I would insist upon franchise being direct and not through centralized or indirect agencies.

23. It would not be out of place if I were to mention in this connection that craving for separate class or communal representation owes partly if not wholly to indirect methods of election. To be frank I can't regard any country as fit for self-Government, responsible Government or independence if her representative bodies, legislative, administrative, deliberative or executive are infected with the poisonous separatist tendencies. These tendencies must be destroyed at any cost and at the earliest possible date. Universal adult franchise and direct voting are expected to do away with this disease. My answer to parts (*c*), (*d*) and (*e*) of this question would be on the lines of my remarks contained in paras. 21 to 23 inclusive of this letter.

Question 1 (f) and (g), (h) and (i) of part I.

24. These also may be discussed together.

The replies that I have given before are sufficiently indicative of my views on these parts of the question. On general grounds I am entirely opposed to indirect representation. Experience has proved beyond the least shadow of doubt, firstly that indirect voting leads to frauds, secondly makes the position of the persons selected to vote very delicate. They have to vote either on their own responsibility or in an irresponsible manner, and thirdly the persons selected through indirect methods are not alive to their responsibilities. It is indeed a contradiction in terms to call such persons to be the representative of the people.

25. In the pre-reform days members of the Legislative bodies used to be elected somewhat on the lines proposed in these questions. Frauds and dis-

Memorandum by Rao Bahadur N. R. KELKAR. [*Continued.*

honesty were inevitable under the system. The system had to be abandoned because there was conclusive evidence against it.

26. Local self-governing bodies in these Provinces are composed largely or partly of members elected by indirect methods. That accounts for the irresponsible and at times even underhand manner in which the District Councils behave. The selected members of the Local Bodies are far below average and it has now become common knowledge what underhand means are used or what undue influences are brought to bear on the Ministers for securing nominations of members.

With this accumulated experience and known facts it is unreasonable and improper to revive a system which after trial had to be abandoned.

27. The revival of the once and for all condemned system won't help us to reach the desired goal. In the pre-reform days political institutions were not used as means for job-hunting and place seeking. Communalism was not so rancorous and our political ambitions were different. Even then the indirect system of election was not tolerated.

28. Now elections are fought either on personal, communal or party lines. The first two must be extinguished and the last one must be properly organized and based on sound basis. The proposed group system is, I am afraid, likely to perpetuate the first two methods and obstruct the progress of the last one. Human nature being what it is most people would like to be representative voters of such groups. Nobody can blame them if they are unable or unwilling to subordinate their personal ambitions to general interests. Selection of group voters representatives is likely to be a matter of jobbery and not plain sailing.

In the case of exclusively communal groups there would be additional difficulty. Government would be exposed to the charge of perpetuating communalism and extending it to villages where it is practically absent now.

It is unlikely that all members of the same group will be of the same political or other views. Members holding different views will have to be given separate right to elect representative of their views. If that is not allowed the minority will go unrepresented or will have to yield to the tyranny of the majority.

The selection of these group representatives is bound to lead to some disputes for the settlement of which some additional machinery will have to be set up. Such costs should be avoided. With all these difficulties there is no guarantee that these group representatives will faithfully represent at the polls the views of their constituents. Past experience is that they were subjected to all sorts of external influences which they were unable to resist.

A small point that arises needs consideration. It is not clear whether the names of these group representatives will be liable to mutations after the electoral rolls are finally sanctioned. Would vacancies arising out of deaths or resignations be filled in the interval during which the roll remains in force. What hold the members of the group will have on the representative if he fails to vote or votes contrary to their wishes.

For all these reasons I am against the group system in so far at least as the general non-communal constituencies are concerned. Having regard to this view I don't think it necessary to answer supplementary questions (*h*) and (*i*).

Since I am opposed to communal or separate representation I don't propose to discuss and pronounce opinion on the question whether the group system would be advantageous to communities whose voters are scattered over different areas.

29. Even though I am against the group system I should like to pronounce an opinion on two points which arise out of these questions. In my opinion it would be well to have separate constituencies composed (1) of

directly qualified, and (2) of indirectly qualified voters. Such separation would be of great importance when occasion for assessing the value of a vote in the legislature arises. If the group system is adopted the candidature must be confined to the group electors unless you are prepared to keep separate lists of members of such groups. Maintenance of such separate lists would be superfluous. A person may not like to be a group elector yet he may not like to surrender his right of being a candidate. This may be an argument against the group system.

2. FRANCHISE QUALIFICATIONS.

30. (*a*) I think there is some marked disparity particularly in respect of tenants and plot proprietors. In fixing these franchise qualifications we may bear in mind the following particulars:—(*a*) the amount of public taxes which a person pays directly or indirectly, (*b*) the net amount of income of a man.

Now half the amount of a tenant's rent is taken as land revenue which is as good as tax. A man occupying a three rupees rent house in a town may pay no taxes at all or his total contribution of taxes may not be as much as half of Rs. 30, 40 or 50 rent. The amount of *haisyat* tax on Rs. 200 is certainly much smaller than this sum. This disparity may be removed if instead of having uniform scales for the whole of the Provinces or groups of Districts different scales were laid down for different constituencies in such a way that the property qualifications would be reduced to even levels on the lines suggested above.

31. (*b*) I am opposed to communal electorates and consequently my opinion on this question may possibly be regarded as superfluous or biassed. Nevertheless I must express my opinion. Really speaking I have not been able to understand the propriety or implication of the latter part of the question. One can understand the anxiety of certain communities to be represented through elections by members of their own communities. Once this is conceded to them I do not understand why, in addition, they should also insist upon voting strengths being in proportion to their numbers. I believe I am right in assuming that the expression " voting strength " occurring in this question means numerical strength of voters eligible to vote at general elections. It does not mean voting strength of members in the legislative bodies or in the cabinets of Government. If the former is the meaning there is no material gain and the second I would oppose very strongly.

32. I do not understand when these communities will begin to realise that concessions are humiliating and demoralizing. These minority or backward communities are scattered all over the Provinces. Their economic and educational conditions are not similar throughout. In several localities they compare very favourably with those of other sister communities. The main object of claiming this concession is to have a lower property or educational qualification for franchise. I don't think there is any need for making such a differentiation. In their own interest I would oppose such a proposal as it imposes on them the stamp of perpetual inferiority.

33. (*c*) Property qualification does not seem open to any objection in principle. It is a suitable test for fitness for franchise. All struggle is for property and not only for power without property. If the qualification is relaxed or removed there would be very little or no incentive for work and there is danger of Government passing into the hands of irresponsible persons or persons having nothing at stake. The definition of property may be widened and made comprehensive so as to include ownership, occupation or cultivation of landed property, income derived from various but honest sources and not by street begging and dishonest means and also liability to pay taxes or render some public or political service. In this view I would include subtenants of agricultural land, wage earners and social, political workers rendering personal and self-sacrificing services. In any case I would exclude drones who depend upon others' charity or labour.

Memorandum by Rao Bahadur N. R. KELKAR. [*Continued.*

34. (*d*) My answer to this question is in the negative. It is very difficult to define the word Education in relation to its application to franchise. Education is of various kinds, literary, theoretical, technical, practical and so forth. Examination is no test of Education.

This question of education is sought to be introduced in two different ways. Some say that literary Education as has passed the test of some public examination should be a necessary qualification for franchise in all cases males as well as females, while others maintain that it should by itself be so especially in the case of females. With great respect I beg to differ from both views.

35. Subject to the property qualifications as defined before, universal adult franchise should be our aim. This aim is likely to be frustrated or in any case is bound to be indefinitely delayed if such educational test is imposed. We all know that in these Provinces illiteracy is the rule and literacy an exception. Several people who at present are enfranchised will be disfranchised in consequence of the imposition of this test. There is no reason why people should be deprived of their vested rights which they have enjoyed so long in relation to all representative or democratic institutions. None can reasonably maintain that people with no literacy qualification are incapable of exercising their votes with reason and common sense. What is necessary is political education. That can be given by propaganda and extended first by increasing the number of voters and secondly by extending the franchise to every village.

36. In connection with the group system and franchise qualifications in urban and rural areas I venture to make one suggestion which, in my opinion, merits serious consideration. We are accustomed to think of representation of all classes and communities either in proportion to the numerical strength of each or otherwise we are asked to suggest means for rectifying disparities in the franchise qualifications of rural and urban voters. We can achieve the goal of universal adult suffrage more easily and in less space of time not so much by any of the means that are suggested in these questions but by extending the franchise to every village in the Provinces.

37. Every inhabited village contributes something to the state revenue. Yet there are scores, perhaps, hundreds of villages in the Provinces which have no votes. Political education is stagnated. In the new constitution the total number of adult votes should be distributed amongst all the inhabited towns and villages. No village or town should be without representation. If votes are distributed in this manner we shall no more hear anything about separate representation of classes and communities.

38. Now according to the new scheme as described above the total number of votes from all parts of the Provinces would be about 1,550,000.

The total number of inhabited towns and villages is 113 and 39,024 respectively. I have not been able to obtain separate figures of populations in towns and villages according to the recent census. It will not affect the ultimate decision if we were to assume that about 1,800,000 reside in towns and the rest in the villages. According to the average 10 per cent. scheme the number of voters in the towns would be 180,000 and those in these villages about 1,350,000. The present inequalities will disappear if these votes are proportionately distributed. Each town and village will on an average get 1,600 and 40 votes respectively. Direct representation of each village is preferable to the group system. It will have greater and everlasting educative value. Even if group system of some sort is introduced care should be taken to see that each inhabited village should invariably be represented at least by one vote. In all times in this country villages have formed administrative and political units.

39. (*e*) My answer to both parts of this question is in the affirmative. Extension and not curtailment of existing rights should be our policy. It

would be equitable to place social and military services on the same level and include them in the definition of property qualification as defined in para. 33, *ante*. Even in such cases the minimum age limit should be 21. According to my notions 21 should be the age for political maturity and persons of and above that age should be regarded as adults.

3. WOMEN'S SUFFRAGE.

40. I shall discuss questions (*a*) and (*b*) together. The remarks that I have made before are applicable to women also. As equality is our moto women's suffrage must be subject to the same conditions and restrictions as men's. I am not against female suffrage. I am not, however, one of those who believe that disparity in the voting strength of the two sexes is necessarily a sign of bad Government. Similarly I am not prepared to adopt any artificial or unnatural means such as are indicated in question (*a*) for the purpose of removing the disparity.

41. The suggested means may remove disparity in the number of votes. That is not what we want. We want independent votes. We can't have such votes unless we make radical changes in our social customs and in the laws of inheritance, partition and disposal of properties. As a means towards the end let us take immediate steps to give females definite shares in family properties with full power of disposal. From the recent discussion in the Assembly I gather that even the admirers or advocates of female franchise are not prepared to extend such rights to women. Personal services which Indian ladies render in managing domestic affairs may be taken into account in assessing property qualifications.

42. I think it absurd to impose Educational qualifications on women and have none on men. In the previous remarks I have suggested that the female franchise may be extended to 5 per cent. of the estimated adult population of that sex. In my definition of "Property qualifications" I have included personal and self-sacrificing services also. With the limited proposals such as are contained in question (*a*) it will be difficult to get this number. But if my comprehensive definition is accepted it will not be difficult to get the number.

43. We may differ from the political views and methods of work of others. We can't on that account, doubt their sincerity, honesty of purpose or patriotism. I would, therefore, extend the franchise to all those who are prepared to fight the battles of the country and for that purpose are ready to make any amount of sacrifice involving personal hardships, disrespect, humiliation, loss of life. A number of ladies have now thrown themselves voluntarily into the thickness of the fight for political emancipation and extension of franchise to them would be but a meagre recognition of their selfless services.

44. I don't know the exact number of female voters who are at present eligible to vote. I understand that total number is about 3,200 as against 155,000 under my scheme, *i.e.*, a multiple of about 48. It will be a great gain if we get this number.

45. At present age limit for vote is 21 and for candidature 25. I am inclined to make no change in these limits in either case.

I see no reason to make the group system applicable to women. In their case also I would like to distribute their votes amongst all inhabited towns and villages.

4. REPRESENTATION OF DEPRESSED CLASSES.

46. Representation by means of election and nothing else such as nomination should be the rule which should be applicable to all classes and communities.

Memorandum by Rao Bahadur N. R. KELKAR. [*Continued.*

I do believe that, through extension of franchise the depressed classes can get adequate and efficient representation of their views and needs in the new constitution provided—firstly they do not allow their case to be prejudiced by falling victims to the machinations or instigations of some who are interested in creating divisions, secondly they agree to fight elections on strictly political lines, and thirdly eschew social and personal matters from politics.

47. The so-called depressed classes claim separate representation not because they deserve it or need it but because some other communities have managed to get it. Such other communities also don't deserve it or need it. There is no analogy or comparison between the depressed classes and other communities. The depressed classes lack homogenity and they are so hopelessly divided amongst themselves that there is hardly any thing in common between their various sub-divisions.

5. REPRESENTATION OF LABOUR.

48. The remarks under head 4 are applicable to labour also. In these Provinces industrial or agricultural labour is not organised. Our policy hereafter must be to abolish divisions in the legislatures.

I would make one remark which in my opinion is common to Nos. 4 and 5.

We must lay down definite programme for achieving universal adult suffrage within a specified time which should not exceed 15 years. At the third general election that may take place after the introduction of new reforms the franchise must have reached universal adult suffrage as described or illustrated in the previous remarks.

II.—THE FEDERAL LEGISLATURE.

49. The remarks that have been made before may be taken as applicable to Federal Legislatures also. I am not in favour of any kind of indirect representation. All representation should be by territorial constituencies consisting of qualified voters who should cast their votes directly. I am not in favour of the upper chamber of the Federal Legislature. In any case I am of opinion that for the Lower Chamber of the Federal Legislature and Provincial Legislatures the franchise qualifications should be identical. The reason being that in these Legislatures people should have equal voice. In case the Upper Chamber of the Federal Legislature is retained the Franchise qualifications, therefore, may be different and higher. The number of members for the Upper Chamber may be reduced to 5, perhaps, even to 4.

If the number of members for the Lower Chambers is fixed at 12, candidates for each one of these constituencies will have to deal with, about 125,000 voters in the beginning rising ultimately to 500,000. If the methods of election are improved or made simpler as suggested above I don't think it will be difficult to manage such a constituency. The local area comprising a single constituency will not exceed two revenue Districts as against 4, 5 or 10 which at present comprise a single constituency. At present the number of voters being small they are scattered. Hereafter they will be found in more compact areas.

For the Upper Chambers the local area of each constituency in the Central Provinces will be reduced to 4, 5 or 6 Districts as against 18 at present.

8. GENERAL.

50. In addition to the observations that have been made before, I will suggest the following improvements in the existing rules or practices:—

(*a*) As a rule no nomination paper should be liable to rejection on any technical ground or on the ground of any irregularity which does not concern or affect the identity of the candidate or of his proposer and seconder.

Memorandum by Rao Bahadur N. R. KELKAR. [*Concluded.*

(*b*) Nominations rejected on technical grounds or irregularities may be rectified by appeal or revision to some higher authorities.

(*c*) It may be discretionary with the election tribunal to decide whether security for cost should be required or not.

(*d*) Ordinarily no security for cost should be demanded when nomination papers are rejected on technical grounds or for irregularities or when questions of law only are involved.

(*e*) Security for cost may be required under those circumstances only under which in civil cases courts are empowered to require security.

(*f*) The formation of parties and groups after elections should be prohibited. Members may change their parties provided they resign and seek re-election.

(*g*) Circumstances rendering Ministers' liable to resign may be clearly specified and provision may be made which will make the Minister immune from constant and frivolous motions of no confidence.

(*h*) The chief Minister should be the party leader under whose direction the elections were fought and such chief Minister should have full power of selecting other Ministers.

(*i*) Under no circumstances communal or class representation should be allowed in the cabinets or public services of the Government and as a rule Ministers should be persons representing general constituencies only.

(*j*) Very high qualifications for candidates should be prescribed and they should among other matters include past administrative experience, political training.

(*k*) Ministers should have nothing to do with nomination to local bodies or in making appointments to public services or with disciplinary control over such services. They should be responsible only for policies.

(*l*) Present divisions of legislatures into class, communal or parochial compartments should be abolished. Mainly on account of these divisions Ministers have been unable to do any work. Speaking generally Indians have simply carried on and, perhaps with vengeance the old bureaucratic system and nothing else. Class (Landholders, etc.) and parochial (Urban and Rural) compartments should be done away with as through general constituencies both these interests are more than adequately represented.

If communal representation has to be retained at all it may be retained only as a necessary but regrettable evil for a short period not exceeding 5 years and it should not be extended to other communities.

Before closing I desire to state that having regard to the very complicated and comprehensive questionnaire a longer time limit for reply should have been allowed. If I have not been able to do full justice to the subject shortness of time is exclusively responsible for it.

Rao Bahadur N. R. KELKAR, M.L.C., President, Co-operative Bank, Balaghat, Berar.

1. *The Chairman:* You are in favour of extension of the franchise to 10 per cent. of the population?—I do not mean exactly that. What I mean is that under the new Reforms, extension of the franchise is inevitable. If it is extended from 10 per cent. to 25 per cent., it will be a fair advance on

the present system. That is what I mean. But I do not mean to say that franchise should be extended to 10 per cent. or 25 per cent. only.

2. I understand you want to limit the number of voters to a candidate to about 15,000?—It will be more than that. I have not got with me the figures, but the number will be about 25,000.

3. Does it really determine the number of members of the legislature?—Yes, in a way.

4. You do not actually mention any figure for that?—I do not.

5. You also want every candidate to be identified with a definite party?—Yes.

6. Would you go so far as the German system in which the individual voter is compelled to vote, not for the individual member, but for the party ticket?—It follows as a consequence. He must vote for the party ticket candidate.

7. In Germany you must vote for, say, the Conservative or the Liberal or the Labour party?—Practically he will vote for the candidate of the party.

8. The party leaders will be elected in proportion to the number of votes cast for them in the country. The individual does not vote for the candidate but for the party. Would you go so far as that?—Yes. If the party system is to be brought into existence in this country, then I would go so far as that. I see the disadvantages, but still I am prepared to take that risk.

9. You want to strengthen the party system as the basis of democracy?—Yes.

10. As regards section 38 of your memorandum, I do not quite understand what your proposal about voting is. You say, 'Each town and village will, on an average, get 1,600 and 40 votes respectively'. What does that mean?—I have said: 'The total number of inhabited towns and villages is 113 and 39,024 respectively. I have not been able to obtain separate figures of populations in towns and villages according to the recent census. It will not affect the ultimate decision if we were to assume that about 1,800,000 reside in towns and the rest in the villages. According to the average 10 per cent. scheme the number of voters in the towns would be 180,000 and those in the villages about 1,350,000. According to the figures which I have given in the previous part of my note, the total number of voters in the towns as well as in the villages would be about 16 lakhs. And according to the mode of calculation which I adopted here, I do not say it is quite a correct mode, the total number of voters in towns would be about a couple of lakhs, while those who reside in the villages or outside towns would be about 14 lakhs. I am prepared to concede that the statistics I have given are not correct as I see from the official report.

11. *Sir Zulfiqar Ali Khan:* Do you think that, in order to form definite parties you would follow the German system, as the Chairman said, and give votes to a party? For example, suppose you are a Minister and you form a strong party of your own, and somehow or other manipulate the votes in such a manner as to perpetuate the life of your Ministry. Would that be of any use to the country?—It must be so. The person who has a powerful following must come into power.

12. He may have become powerful on account of many reasons. He may gather a special clique round him. It is not necessarily the best men that may figure in the party. Do you think that if a party is organised, the best talent in the country would necessarily figure in that party?—What do you mean by 'best'. Is it educationally best, or otherwise best, or that he is faithful to the principles of that party?

13. In the interests of the country, is it best to vote for a party or for an individual?—For a party.

14. However unworthy people it may contain?—Not necessarily. I do not apprehend that unworthy people would be put up by the parties.

15. *The Hon'ble Mary Pickford:* I see that you say that equality is your motto, and then you propose to enfranchise 15 per cent. of the men and 5 per cent. of the women. May I ask if that is your idea of equality?—No. That is not my idea of equality, as I said in another part of my note. You can get at the most only 5 per cent. of the females. But if we get a larger number of women to vote, I shall certainly be very glad.

16. But you make no proposals to that end?—That is not for the purpose of showing inequality between men and women. I have pointed out various difficulties in the way of enfranchising women; if these difficulties can be got over by any means, I shall have no objection to enfranchise every woman.

17. You say that from the recent discussions in the Assembly you gather that the admirers and advocates of female franchise are not prepared to alter the laws of inheritance. Don't you think they are very likely to alter them if the women had a substantial number of votes and could being pressure to bear on the House?—Yes. They will. That is what they want.

18. *Mrs. Subbarayan:* Could you explain paragraph 43 a little more?—Yes. In defining property qualifications I have taken into consideration that the personal services rendered by men or women in the cause of the country should also be regarded as property qualification. In one of the previous paragraphs I have said that the definition of property qualification should be enlarged.

19. But how do you decide whether a man or woman has rendered any personal service to the country or undergone any personal sacrifice?—You must depend upon the services which the people or party render.

20. Could you explain the last sentence of paragraph 43 'A number of ladies have now thrown themselves voluntarily into the thickness of the fight for political emancipation and extension of franchise to them would be but a meagre recognition of their self-less services'. Could you tell us whom you refer to?—Yes. Women who are now fighting the battles of the country, Desh Sevikas. That is service rendered in the cause of political emancipation.

21. In other words, you mean that the women who have taken part in the civil disobedience movement should be given the franchise?—Yes. In other words, for political views, I would not disqualify any person.

22. Your suggestion is that it is a qualification that a woman who took part in the civil disobedience movement should be given the franchise?—Yes.

23. *Sir Muhammad Yakub:* Do you think there is a keen desire among women to utilise the franchise in the Central Provinces?—In some sections there is a keen desire. Among advanced sections such as the Mahratta Brahmans, the Parsees and Christians, for instance, there is a keen desire on the part of women to get the vote.

24. But not in the general masses?—In the villages I have not noticed such keen desire. In the towns I have noticed a keen desire on the part of women to have the vote.

25. If more than 5 per cent. of the women are enfranchised, you think they will not be able to use their right of vote especially in the rural areas?—In the rural areas I am afraid they may not be able to. But if they receive some political education in the meanwhile as the women

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in the towns have received, then probably they will. But I am speaking of the present conditions.

26. *Mr. Butler:* You mention the need for each village to have at least one vote. You previously condemned the group system; but you say if the group system is introduced each village should be represented by at least one. How do you reconcile both the statements?—With regard to that, you will be pleased to remember that I am criticising the present system. Under the present system there are scores of villages in the province in which there are no voters, because the property qualification is very high. What is needed is that every village must be represented. Therefore you must reduce the property qualification to such an extent that every village will have votes; it may be one, it may be two, it may be 20 or 40 (votes).

27. Supposing there is the group system, how would you ensure that every village has one vote?—I am not at all in favour of the group system. What I mean by group system is that every village by itself should constitute a group, and every village must be represented, but according to a common property qualification standard. And the present inequality should be removed. I believe I have made myself clear now.

28. You make it a group on the principle of Sir Moropant Joshi?—There are several villages where there are no voters. What I want under the new system is that every village must have voters. Therefore you must reduce the common property qualification in such a way that every village should get a vote, or 20 votes, or 40 votes.

29. It does not quite correspond to the group system?—It has got nothing to do with the group system. I raised a distinct and separate point there.

30. *Dr. Ambedkar:* In your memorandum you make this interesting statement: 'I do believe that through the extension of franchise the depressed classes can get adequate and efficient representation of their views and needs in the new constitution, provided firstly they do not allow their case to be prejudiced by falling victims to the machinations or instigations of some who are interested in creating divisions, secondly they agree to fight elections on strictly political lines and thirdly eschew social and personal matters from politics'. Can we have more explanation as to what exactly you mean?—What exactly I mean is that at present some people who say that they belong to the depressed classes fight the elections as depressed class people; and they want the votes simply because they belong to a particular class. What I mean is that candidates are set up either as depressed class candidates or as labour candidates and they expect votes simply because they belong to a particular class or a particular community. If they are defeated, then they attribute communal motives to the general body of voters; while what I say is that you must expect from the voters a sense of judgment. The voter must exercise his judgment and he must have the liberty to weigh the merits of the respective candidates, to examine the programme of work which they have before them, and then vote accordingly. As a matter of fact that is not done. What these depressed class people or the labour people say is, 'Well, I am a labour man (or a depressed class man). You have not given me the vote. You are a scoundrel of a Brahman and therefore I am defeated'. That is the attitude of mind which I have discovered in these people. If they give up that attitude and if they stand as political or national candidates, and not as depressed class or labour candidates, then I am sure they will have a fair chance.

31. How would that happen I would like to know. How could a depressed class man announce himself as a candidate unless at the same time he appears in public as a man belonging to the depressed classes?—He can take some party label.

32. He should belong to a party?—Yes.

33. Am I right in saying that if a depressed class man joined the Muslim party, he would be doing the right thing?—According to the definition which I have given of a party, a Muslim party is no party.

34. Suppose for instance a depressed class man joined the Muslim party and that was objected to by a majority of voters; if a depressed class man wants to be elected, he must not do that sort of thing?—If he adopts the political views of the Muslims then it is a different matter.

35. Am I right in suggesting that if a depressed class man wants to get elected under the system of extension of franchise, he must adopt the political views of the majority of the voters, whether he likes it or not?—Yes.

36. He must be a Congressman whether he likes it or not?—Yes.

37. He must eschew social and personal matters from politics, that is to say, in his election programme he must not raise such questions as equality of rights in regard to public wells and so on?—He must do that. That is not a social matter. That is a matter of public interest, if he asserts the right of equality.

38. What do you exactly mean by eschewing social matters from politics?—He must go there as an Indian and not as a depressed class man. If he goes there as an Indian and not as a depressed class man, then he has got a fair chance.

39. Suppose for instance he goes and raises questions relating to depressed classes alone?—That is a national question, and he won't on that account suffer. For instance the particular questions which you cited, *i.e.*, taking water from public wells, entry into public temples or using public roads, etc., are not purely social matters, but matters of national importance.

40. I am putting it to you seriously. Supposing a depressed class candidate stood in a general election and had a programme in which he stated that if he was elected to the Council, he would fight for his right of entry into the temple, the school, the public tank and the use of the public well, do you think he will have a chance of being elected?—In the Central Provinces at least, speaking from my knowledge and experience, I say that such a programme would be appreciated by the general body of voters.

41. Such a man would be elected?—I do not know. No person can be sure about election.

42. I thought you had made a very definite statement?—I did not say that he would surely be elected. What I say is that his programme of work will be appreciated by the general body of voters.

43. It is not a question of appreciation. The question we are considering is this, whether a depressed class candidate with the programme of his party which must include the safeguarding of the rights of the depressed classes would stand a chance in a constituency in which there was no special provision made for the depressed class candidate at all?—I think so. He has got a fair chance.

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44. *Mr. Chintamani:* Is there no danger according to your suggestion of mushroom parties growing up just before elections to enable candidates to keep outside any of the parties then existing and at the same time be eligible for election? How would you guard against that danger?—He would be under obligation to resign and seek re-election.

45. I understood you to mean that the elections are fought on a particular ticket. You stated that every candidate must be obliged or required to declare that he belongs to a particular political party as a condition of eligibility for election?—Yes. Along with the nomination paper, that declaration must be filed.

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46. Is there no danger of many mushroom parties coming into existence just before election and for election purposes in order to enable the candidate to achieve the double object of getting out of any party then existing and at the same time making himself eligible for election? How would you guard against that danger?—By mushroom parties I understood you to mean these communal parties.

47. I do not say communal. I am speaking of political parties. It is not difficult for persons to get names for any number of parties, names which may mean nothing. Would you appoint any authority to recognise parties for purposes of election?—No.

48. But then, any individual may claim to belong to any party. The party may or may not be in existence?—That means that the general standard of intelligence of the electors is very low. I am not prepared to make that assumption. As a rule, I believe, they will see whether the party whose name is given is a mushroom party or not.

49. Who will see?—The voters themselves.

50. You do not give power to the returning officers or any duly constituted authority to determine whether a party is a *bonâ fide* party in existence or something in imagination for the purpose of enabling a candidate to get through the election?—I would not give the authority to the returning officer. I would leave it to the good sense of the voters.

51. Plase turn to paragraph 48, under 'Representation of Labour', in which you state: 'We must lay down definite programme for achieving universal adult suffrage within a specified time which should not exceed 15 years. At the third general election that may take place after the introduction of the new reforms the franchise must have reached universal adult suffrage as described or illustrated in the previous remarks'. What exactly do you mean by the procedure to bring about this result?—My procedure would be this. There are several suggestions made. In the first part of my note I stated that when this question was discussed it was suggested that adult suffrage should be introduced immediately. Other people were not prepared to go so far. What was therefore suggested was that there must be some restriction in the shape of property qualification. Further it was also stated that every person should have a right to register himself as a voter, not on payment of 4 annas or 2 annas or one rupee, but provided he comes within a certain other qualification, to be laid down. And thirdly, it was also suggested that every person should be liable to go to the poll and vote, and if he does not do so, then, he would be liable to some penalty. It is in that way we will be able to determine whether the country or the province as a whole is prepared for adult franchise or not. At present we are discussing this problem on merely hypothetical grounds. For instance, one party says that the country is ripe for immediate adult suffrage. Another party says that it is not. A third section says that there are administrative difficulties and so forth. What we want to know is whether the country or province as a whole is prepared for adult franchise or not. And if you apply these two or three tests then you will be able to know whether there is really a keen desire on the part of the people as a whole for adult franchise. And if that test is applied, then I believe that within the next 15 years there will be adult franchise, and we shall have at our disposal very strong evidence in support of that extension.

52. I understood your proposal to say that a legal obligation must be imposed on the Government of India of the future to see that there was adult universal franchise within 15 years. You have not qualified that?—I can qualify that now. Taking the circumstances as they are at present I believe that it will be possible to have adult enfranchisement within 15 years but circumstances may arise over which none of us may have any control. If

under these circumstances it is not possible to have adult franchise, and if I am living by that time, I shall have no hesitation in changing my opinion.

53. I will put it in this way and please tell me which represents your opinion. Granted that adult franchise must be the goal and granted further that adult franchise in the near future is impracticable, one of two things can be done in order to reach the goal; either that you make statutory provision at the end of 10 years that enfranchisement shall be extended so much until adult enfranchisement is attained within a certain period, or that you say that at the end of 10 years enquiries should be set on foot to ascertain to what extent enfranchisement should be extended?—Well, 15 years should be our goal and that should be reached within a measurable distance of time. There must be some limit.

54. In your memorandum you have laid great emphasis on the necessity of recognising the possession of property, in the wide sense of the term, as an indispensable qualification for a vote. Is not this directly contradictory to the ideal of adult franchise?—No; what was in my mind—and I believe I have made it clear in my note—is that I did not want to give the right of vote to street beggars. There is a large population of street beggars called "Sadhus" and I do not want to give them the vote.

55. I appreciate your point of view. My difficulty is something different, that is between your insistence on property qualification on the one side and your insistence on adult enfranchisement on the other?—You must read the two together.

56. I understand your position to be this that you want the widest extension of franchise amongst the adult population of the country compatible with conditions that you regard to be essential for the public well being?—Yes.

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57. *Major Milner:* Yesterday we were told by a member of your committee that for the past 50 years this system of the indirect method has worked perfectly on the local council. One of my troubles and the troubles of my colleagues on this committee is that we hear entirely contradictory views and opinions from various members of one committee on one subject. Can you tell me who we are to accept as an authority on this matter?—I would ask you to accept my authority. If you will examine the official reports on the working of the local bodies then you will find confirmation of my views.

58. Admittedly the system of indirect voting for the legislatures would be different to indirect voting for the local bodies?—The principle is the same except that it may be on a larger scale.

59. It would more surely influence a small body of people than it would the whole population of India divided into groups?—We are not to confine ourselves to influences; there are many other objections to the group system.

60. Your proposal is to enfranchise all the propertied classes, that is practically to keep things as they are?—Under my proposals very few would be excluded, only street beggars.

61. From a practical point of view would your scheme enfranchise all wage earners?—Yes.

62. Are there not many wage earners earning one month and then not earning for a month or two?—You have to take the average for two or three years.

63. Is that an administrative possibility,—to have records for three years of every wage earner?—The Patwaris could do it.

64. Have you any objection to the employment of non-officials to conduct the elections?—No.

65. Would the public at large have any objection?—I don't think so; it all depends on the non-officials you choose.

66. What class of non-officials would you consider competent and satisfactory?—In the first instance Government pensioners, honorary magistrates; you can have members of the bar and office bearers of local bodies.

67. *Dr. Ambedkar:* Is it not a fact that in 1931 a bill was brought in in order to penalise persons who obstructed the depressed classes from taking water from the public wells and that was defeated?—No, it was not discussed at all. The practice in the Central Provinces council is that no motion should be forced on the people without consulting the public or without taking the public into their confidence and the Government said they had not received opinions from all quarters of the public to whom papers had been sent and so the matter has been postponed.

68. Do you expect the opinions that will be elicited in this matter to be favourable?—Yes, I believe so; the shareholders of my bank are unanimously in favour of the bill. ••

Memorandum submitted by Mr. B. G. KHAPARDE, B.A., LL.B., M.L.C., High Court Pleader, Amraoti (Berar).

I.—PROVINCIAL LEGISLATURES.

1. EXTENSION OF THE FRANCHISE.

(*a*) The means by which the existing franchise for the Provincial Legislature could be extended so as to include 10 per cent. of the population in the electoral roll are as follows:—

(1) Lower the present standard of property qualification of the voter;

(2) Introduce a fairly high standard of educational qualification say the passing of the middle school final examination.

(*b*) Yes. Such an electorate will exercise as much intelligence as the present electorate does. I am of opinion that Factors other than mere intelligence influence the constituencies as at present situated and there is no reason to presume the constituencies constituted in the manner suggested will work less efficiently than the ones now existing.

(*c*) Yes. I consider such an electorate would be administratively manageable having regard to the arrangements likely to be feasible for the preparation, maintenance, and revision of the electoral rolls and for the recording and counting of votes.

(*e*) If by the words " still further " is meant beyond 25 per cent. of the total population I am of opinion that it is neither practicable nor desirable to enlarge the electoral rolls still further. It is by no means easy to suggest or adopt a standard of qualification for enfranchising the population in a manner as will yield the exact result contemplated, *viz.*, enfranchising a stated percentage of population. I am of opinion that rather than fix upon a percentage to be enfranchised and then search for qualifications that will yield the desired result it would be more sound to fix upon the qualifications of a voter and allow the percentage to take care of itself, provided it does not fall below the minimum or does not exceed the maximum.

(*f*) The suggestion that adults not entitled to a direct vote may be grouped together for the election of one or more representatives is not likely to work smoothly in an atmosphere of communal tension. It is easy to imagine the difficulties that will occur in forming such groups and getting proper representatives elected even after they are formed. I do not think this

system is practicable. But even if it were those elected by the groups should vote in the same constituencies as the directly qualified voters.

(*h*) I do not consider it would be advantageous or feasible to abolish the present qualifications of voters and to extend the group system to all adult voters confining electorate to secondaries chosen by groups of voters.

I have said already that I do not consider the group system to be practicable under the present conditions.

(*i*) Does not arise.

2. FRANCHISE QUALIFICATIONS.

(*a*) There is no marked disparity in the operation of the franchise qualifications in the rural and urban areas I know of.

(*b*) If communal electorates of some sort are retained I do not consider it is possible for each community to secure a voting strength proportionate to its numbers nor do I consider it feasible that a franchise system could be so contrived as to secure the result aimed at. There are some communities whom in their present state, neither the property nor educational qualifications will help as a safe basis for a franchise in order to secure a voting strength proportionate to their numbers. There seems to be evidently an effort to reconcile communalism and democracy together which to my mind does not seem to be easier than bringing the two poles together.

(*c*) The possession of property of some kind is a suitable test of fitness for franchise and it must be accepted for want of any better being made available. I consider the existing property qualifications are suitable in principle. The necessary modifications will have to be made in order to widen the electorate.

(*d*) I am in favour of introducing a qualification based on education independently of property. I would suggest the passing of the primary school certificate examination.

(*e*) Yes.

3. WOMEN'S SUFFRAGE.

(*a*) Women's admittance to the suffrage under the existing circumstances is sentimental. I am of opinion that women in India on the whole are not just yet capable of exercising this right. Their development is proceeding at a quick pace and though this in itself is very satisfactory the justification for being admitted to suffrage is yet lacking. I do not agree that a wife should have a vote merely because the husband has it. Under the present circumstances it is really giving two votes to the married man to the detriment of the widower or the bachelor. Since, however, women have been, as a matter of fact, admitted to suffrage. I am for applying educational qualification to them. I am therefore of opinion that the following classes of women should be enfranchised, *viz.*:—

(1) Women possessing the same property qualification as men;

(2) Women paying the same amount of taxes as qualify men;

(3) Women who have passed the middle school Final examination.

The age limit to be the same as men.

The increase in the women's electorate should be very cautiously proceeded with at least for one life-time of the institutions to be created under the new reforms.

(*b*) I do not think a system of group systems is possible for reasons already given above.

Memorandum by Mr. B. G. KHAPARDE. [*Concluded.*

4. REPRESENTATION OF THE DEPRESSED CLASSES.

I consider that the Depressed classes are likely to secure representatives of their own choice to a certain extent as public opinion now greatly favours their uplift and recognizes the justice of their social and political claims. The representation, however, may not happen to the fullest extent the depressed classes may desire. This, however, can be secured by reserving seats for them in a joint electorate. The group system is not likely to work beneficially. But if it is to be worked only in the case of depressed classes perhaps an experiment is worth-while being made. But I doubt the efficacy of it as even the depressed classes taken by themselves do not make a homogeneous whole. Cutting away the depressed classes politically from Hindu Society as such is sure to have a detrimental effect both on Hindu society as a whole and the depressed classes themselves as the tendencies of separation may become a permanent feature of the outlook in all walks of life and irremediably destroy the harmony and homogenity of the society and Indian nation as such which is so very essential if the real goal of the new constitution to be framed is to be achieved.

5. REPRESENTATION OF LABOUR.

If the franchise is sufficiently widened the necessity for a special representation for labour should disappear. India is not an industrial or manufacturing country to-day and it may take some time before labour is vocal enough and develops interests of its own to need a special representation. If, however, representation must needs be given industrial centres may be given representation according to their strength on the basis of numerical strength of voters earning at least Rs. 300 per year.

II.—FEDERAL LEGISLATURE.

(*a*) I agree with the proposal that the representatives of British Provinces in the Upper Chamber should be elected by the Provincial Legislatures by a single transferable vote.

(*b*) The franchise qualifications need not be different for the Federal and Provincial Legislatures.

6. ALLOCATION OF SEATS TO BRITISH INDIAN PROVINCES.

(*c*) A definite number of seats should have been allocated to Berar as a unit in the Federal Government. I also think that the present number now allocated for Central Provinces and Berar together are not adequate. However accepting the position as it stands I would claim for Berar 3 seats in the Upper Chamber and 4 in the Lower Chamber—one for each District. So far as our Province goes it is perfectly possible to make territorial divisions as constituencies consisting of qualified voters without making them either too large to manage by the candidate or for administration purposes.

Mr. B. G. KHAPARDE, B.A., LL.B., M.L.C., High Court Pleader, Amraoti (Berar).

1. *The Chairman:* Do you think the electorate should be extended to about 10 per cent.?—Yes.

2. But not beyond 25 per cent.?—No.

3. You are against the group system for reasons you have given in your statement?—Yes.

4. You are also not very enthusiastic about the women's vote?—Not very.

5. You would not put it the other way, that you are against it?—Not necessarily.

6. Because you suggest that women could be enfranchised by paying the same taxes as men and by passing the middle school examination? Do you recognise that that would enfranchise hardly any women?—It would enfranchise 50,000 in my province.

7. Have you any evidence on which you base that statement?—Yes, I remember to have read that in the reports. I cannot just now lay my hands on it, but I could supply that information to the Committee.

The Chairman: If you could supply that information not only our Committee members but I am sure the official members would like to have it as it is very important to know how many women will be brought in under a particular qualification. You come here I think to speak specially on behalf of Berar?—Yes.

8. Will you explain to the members of our Committee what is the particular Berar trouble so far as enfranchisement or the allocation of seats in the legislature is concerned?—So far as enfranchisement is concerned it is not very different from India; the only thing is with regard to the seats to be allocated to Muhammadan and non-Muhammadan communities and the seats to be divided between the Urban and rural areas. That is the chief difficulty.

9. So far as Berar is concerned you say that a definite number of seats should be allocated to Berar as a unit in the Federal Government. A certain number of seats are allocated to the Central Provinces. Why should any be allotted to Berar as opposed to the Central Provinces?—I believe in the scheme some seats will have to be allocated to Berar and to the Central Provinces both in the Upper and Lower houses.

10. Supposing it is based on the territorial basis. Berar will get representation?—I believe in Berar we have special interests such as for instance those represented by the Malwadars.

11. Those are matters for the Provincial council. They do not affect the Assembly?—I believe these interests should be represented in the Assembly.

12. You do not think the ordinary territorial constituency is enough?—I am afraid I have not said that any special interests needs special representation in the higher house. All I said was that we want more seats than have been allocated to us at present.

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13. *Diwan Bahadur Ramaswami Mudaliyar:* You would be satisfied with a number which follows the population of Berar in the Central Provinces roughly?—Yes.

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14. You say an increase in the women's electorate should be very cautiously proceeded with at least for one life time of the institutions to be created under the new reforms. Why do you expect that the women will not be able to exercise their vote independently. What catastrophe will overtake the country if a little more extended franchise is given to the women?—I don't say any catastrophe will overtake the country. I think that the institution that is going to be established is going to be established on democratic lines. My personal opinion so far as this point is concerned is that their vote may not be independently exercised and the women's votes will be largely influenced by their relatives. In the first place, a lady's husband may influence her opinion a great deal and then she will have her brother and she will have her other relatives. The political instinct is not so keen amongst the women in India as to give them an independent footing in politics.

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15. Do you seriously suggest that if women are enfranchised in large numbers, the stability of the administration or the utility of these institutions would suffer?—That is my personal opinion. For some time to come it will suffer.

16. Are you aware that in England it has been proved by the last election that the stabilising influence in the election was the women's vote?—But the women took a century before they acquired their vote. Moreover, I believe it is not very right to compare the English educated women with the present Indian educated women. The comparison would not be very favourable.

17. Do you think that commonsense among the Indian women is on a lower level?—It is not a question of commonsense. It is a question of being independent or being influenced by their husbands and brothers.

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18. *Major Milner:* I suppose you, like other witnesses, think that property is the best basis of franchise?—I suppose so.

19. Something less than 10 per cent. of the population of the Central Provinces are property owners. How do you propose the remaining 90 per cent. who have not got any property should be represented? Don't you think that they should be given an opportunity?—They will have an opportunity of exercising their vote a little later, if they are not in a great hurry just now.

20. You think that the property owners as soon as they are given a rather extended franchise would at once run to the remaining 90 per cent. and give them the vote?—Not at once. They will gradually go to that extent. Franchise may be extended in the next few years to 20 per cent., then 25 and then 30 and so on.

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21. What is the difficulty in giving that 90 per cent., at any rate a large proportion of it, a vote to-day?—The difficulty is the administrative difficulty. To start with it is very difficult to make the rolls, and then it will be very difficult to poll the votes.

22. You are of opinion that those administrative difficulties are substantial?—Certainly.

23. Have you personally any objection or do you think that public opinion would have any objection to non-officials being used as Presiding Officers? —No, I should not object to that.

24. You think, if non-official—competent non-officials were made use of that would enable a much larger electorate to be polled?—I don't think it will be difficult, but what I do think is that it will be very difficult to bring the voters to the polls and it will be very difficult to get them to understand their responsibility in this behalf and there would be influences, as I have said in my note, working which are other than political.

25. I suggest to you that only education and experience will enable the voters to overcome those influences, irrespective of the fact whether they were given a vote now or in 50 years' time. That will make no difference?—It makes a difference. In 50 years' time they would have had more time to gather experience.

26. Then most of those living at present would have died?—There would be somebody alive to get the vote.

27. Your proposal is to give the vote to 10 per cent. who own property and leave the 90 per cent. entirely unenfranchised?—I would give the vote to those who own property and also to those who have certain education.

28. The latter would be a very small number?—Yes.

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29. *Sir Muhammad Yakub:* I will ask you only one question about the Federal Chamber. You say that the Provincial Legislature should be the electorate for the Upper Chamber. What is the object of having an Upper Chamber?—I think, those who want an Upper Chamber want it as a moderating influence on the Lower Chamber.

30. Now, do you think that the Lower Chamber would generally consist of members belonging to what you call the popular side of politics?—I believe that is the idea of a Lower Chamber.

31. If they form an electorate for the Upper Chamber don't you think that they would elect persons belonging to the same school of thought and the very purpose of having a second chamber would be frustrated?—Not necessarily. I think that the franchise and the qualifications for candidates will be so arranged as to allow only older statesmen and politicians to go to the Upper Chamber so as to enable them to exercise a moderating influence on the Lower Chamber if the Lower Chamber in some cases goes to excess.

32. You think there ought to be different qualifications for candidates and voters?—That was not part of the questionnaire and therefore I have not answered this question. If you wish to put this question now, I am prepared to answer.

33. You say that if a vote is given to wives it would mean giving two votes to the husbands. Why do you say so? Why don't you say that that would be giving two votes to wives?—I say so because I am conversant with the condition of society.

34. Don't you think that a wife may exercise influence upon her husband?—May or may not. The majority don't. Generally the husband dominates the wife.

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35. *Sir Sunder Singh Majithia:* You suggest that one of the ways by which the existing franchise for the Provincial Legislature could be extended so as to include 10 per cent. of the population in the electoral roll is to "introduce a fairly high standard of educational qualification, say, the passing of the Middle School Final Examination". Then you say "I am in favour of introducing a qualification based on education independently of property. I would suggest that passing of the primary school certificate examination." Which do you give preference to?—I want to extend the franchise considerably; the primary school certificate should be adopted.

36. Then would you give up the first?—That is not giving up. I mentioned both. Whichever is suitable may be adopted. If we do not get a sufficient number of people enfranchised by the first test we may adopt the other. I would only say that some educational qualification should be put down as a test.

37. Would you keep the first qualification?—I would not if it lessens the number to a very small degree.

38. *Mr. Shoobert:* You are aware that there are about 1,351,000 members of primitive tribes in the Central Provinces. Have you considered any means of giving them representation?—Government have suggested in their note that they want to nominate for them. My personal opinion is that they should be given election if they wish to have it. There is absolutely nothing to prevent them from electing their own men. They have sufficient people with property, sufficient people who can stand as candidates and contest the elections. The general belief is that they are ignorant, but they would be able to compete with anybody.

39. You know most of them are following their tribal customs. If nomination is not made they will lay themselves open to exploitation?—It

all depends on what is meant by "being open to exploitation". I don't know of any community in the world which is not open to exploitation.

40. What I mean is that people from towns would go, say from Nagpur, and try to get their votes although their interests might be quite different?—I don't think that would happen.

41. *Mrs. Tambe:* You would not be against enfranchising women on their own property rights?—No, I have recommended that.

42. Don't you think those votes will be influenced by their husbands?—We must begin somewhere. That is the small beginning I would make.

43. If in that case it does not matter so much I don't see why it matters in the other case?—I have not excluded women on the literacy ground.

44. You have kept a very high standard?—Primary school certificate is not a very high standard.

45. You have said Middle School Final?—I shall gladly qualify that.

46. *Mr. Shareef:* Is it not your experience that the Council elections, or any other elections for the matter of that, are generally influenced by personal considerations?—They are.

47. It is not matters of policy which guide them?—Matters of policy do guide a certain proportion of the electorate, but that is not a very large proportion.

48. Therefore, don't you think that under the group system there would be practically no enfranchisement of the primary voters. The primary voters will be influenced to a large extent by the personalities dominating in the village?—I believe so.

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Memorandum submitted by Mr. R. M. DESHMUKH, Bar.-at-Law, Amraoti.

I.—PROVINCIAL LEGISLATURE.

PRELIMINARY.

In view of the preliminary remarks in the questionnaire, I have, in framing my replies, avoided an expression of any opinions in respect of (1) special interests such as landlords, graduates or factory owners; (2) the necessity or otherwise of a second chamber in the Provinces; or (3) the qualifications or disqualifications of a candidate except in so far as it becomes incidentally necessary for this discussion.

Taking the questions seriatim my replies are—

1. EXTENSION OF FRANCHISE.

(*a*) The most obvious basis for the extension of the franchise is the property qualification. The principle being that taxation or contribution to the public revenues should form an essential basis for representation. In a State that recognises a non-socialistic order of things it is plain that those who are to pay for the administration and are most likely to be affected by administrative or legislative measures should have the effective voice in influencing the conduct thereof. The modern trend of public opinion, however, is not absolutely in consonance with this simple rule and consequently this view has to be modified with due regard to circumstances. Nevertheless the holding of property would, till the fundamental notions about property themselves suffer a

change, continue to be the primary factor in the extension of the franchise in India; other and secondary factors being introduced to supplement the primary ones as circumstances require.

From this point of view it appears impracticable to introduce such an arbitrary figure as either 10 per cent. or 25 per cent. of the adult population for enfranchisement. So long as we keep our boat anchored to the property qualification we must be content with such figures as the adoption of property basis would give us, unless indeed the number of persons holding property should exceed 25 per cent. of the population, in which case it may be possible to curtail the franchise of some who hold property by prescribing an artificial figure of property holding for the sake of qualification. Although I could not get figures, it may be seriously doubted that the number of persons holding property would approach anywhere near 25 per cent. or even 10 per cent. of all adult population.

But the first and the foremost method would be to enfranchise all adults holding any kind of immovable property in their own right. In view of the questions which have to follow this would present difficulties, but this will be discussed in its proper place.

Supposing that the number of immovable property-holders falls short of the required figure, *viz.*, 10 per cent. supplementary sources of qualifications will have to be considered.

(*i*) *Educational qualification* as a possible source has been suggested; in my opinion this educational qualification will so largely overlap with the property qualification, except perhaps in the case of women, that the total addition to the voters on this account would probably be an infinitesimal fraction of the whole.

(*ii*) *Income as a qualification.*—It may be possible to prescribe some kind of an income limit, *e.g.*, Rs. 120 per annum as in the case of municipal franchise in Central Provinces, as a possible source to add to the electorate. As every one has to make a living, this type of qualification might possibly rope in several persons, who would not be enfranchised on purely property qualification basis. But the process involved in collecting statistics and keeping the registers up to date, would involve so much expense and trouble and would prove enormous and with all that would probably be most unsatisfactory.

(*iii*) *Holding property in leasehold rights* may also be considered as a possible source of addition to the electorate. But in the case of agriculturists this class would largely overlap with those holding uneconomic plots, who would in any case be enfranchised on property basis. It is customary for uneconomic plot holders to supplement their own holdings by taking lands on lease from others so as to make cultivation reasonably profitable; but unless some security against which the rent-receiver can be guaranteed his payment, it would be rare to find a lease in existence. Such instances may be found in urban more than in rural areas and would add to the numbers in urban areas and would serve to supplement the number of electors in those areas.

None of these methods, however, is, in my opinion, capable of providing a permanent or safe basis for an ascertainable supplementary addition to those who would be enfranchised on property qualification basis. There does not appear to me to be a safe and satisfactory half-way house between the property qualification and adult universal suffrage. If we leave off the one, the process must inevitably drift in to the other. Under the circumstances I am of the opinion that no arbitrary figure such as 10 per cent. or 25 per cent. can be fixed, but if the foregoing tests give us an electorate of the required size, it would be a mere accident and not in pursuance of predetermined plan or a predetermined figure. The only other method I can think of by which we would get at such a figure is to put up the age-limit for

Memorandum by Mr. R. M. DESHMUKH. [*Continued.*

franchise so high as to give us the desired size of the electorate; *e.g.*, if the age-limit is put at 21 years we get 100 per cent. adult suffrage. If we worked it out for an age of 35 to 40 sufficient number of adults would at that age be eleminated by nature to give us 25 per cent. and if the limit is put up higher still a steep drop in the percentage after that age might be reasonably expected.

(*b*) It may be doubted, if any electorate spread over large areas and asked to express an opinion on complicated issues of administration ever casts an intelligent vote in any country in the world. Not even the most fervent of democrats would claim this virtue for the electorates, and less so in twentieth century than the theorists of nineteenth century were accustomed to do. Issues tend to be predetermined by party organizations or by individuals of influence according to the circumstances of each country. Intelligent voting however has never been required as a condition precedent to the conferral of franchise anywhere and need not be required in India. It is a question of confer the right to vote and await development of responsibility in its exercise, trusting to the future to set matters right with the use of the franchise.

(*c*) Subject to the reply to (*a*) a manageable machinary can be worked out for the electorate of any size including universal suffrage. The consideration that might deter us from the project would be the expenses required for the purpose, but any council committed to this position would have to accept the incidental expenditure. Recording and counting of votes would also be a part of the same machine and despite the expenditure of time and money would have to be accepted as inevitable since India has set its heart on democracy of the Parliamentary type with its own complicated problems imported into it. Manageable size of polling stations would have to be prescribed and it is likely that officers responsible enough to be put in charge of the polling stations may be difficult to find. But this could be got over by arranging elections on different days in different constituencies and by drafting officers from all over the district for the purpose.

(*d*) and (*e*) These questions have been answered in the foregoing replies. Strictly speaking I hold the view that as a first step towards the goal adopted by the Round Table Conference all persons holding direct interest in land should be qualified. This would cause no practical difficulties of the nature contemplated.

(*f*) All this elaborate process is unnecessary if adult suffrage is assumed to be impracticable. It may be necessary to discuss such a method as a possible solution to render the constituencies of a moderate size only if universal suffrage is adopted as the electoral basis, or if different communities are given different basis of a franchise and separate electorates. Two groups of voters should not vote in separate groups, if the electorates are joint, such a system would have no special merit. Such a course may however be necessary in the case of certain alternative suggestions that I propose to make later in my replies.

(*g*) I accept this position in principle subject to my replies to later questions.

(*h*) I do not wholly agree with the suggestion; in so far as I do I have discussed in my general replies. The agency to frame these groups should be Patwaris under the general direction and the supervision of the Deputy Commissioner. This should be so even in urban areas, as I have strong reasons to say that lists prepared by municipal committees are less honest than those of the Patwaris.

(*i*) This would not be practicable.

2. (*b*) (2) (*a*), (*b*) & (*c*) Have already replied.

2. (*c*) Suggested definition of property has already been assumed for my replies.

Memo. by Mr. R. M. DESHMUKH. [*Continued.*

3. (*c*) I agree; but in case a lady is elected corresponding reduction in their seats may be made.

4. This is already answered.

5. (*a*) Opens up a very big question including the question of Second Chamber. I do not believe in unrestricted democracy. Attacks on property and vested interests are now the order of the day and legislatures are apt to be carried away by the current fashions. Dampers and checks on the unbridled powers of a single house, experience in other countries has shown us, is most desirable in the interests of stability of the society. If checks did not exist through a Second Chamber the only alternative would be to place large reserve powers in the hands of the Governor. Out of these alternatives I would most undoubtedly choose the former as placing the powers in the hands of the conservative elements of the society rather than in the hands of an individual howsoever well meaning.

It is obvious, therefore, that I stand for a Second Chamber in the Provinces. The Universities, *i.e.*, the graduates, Commerce and Industries including Mining and Landlords including Planters, is in my opinion an ideal material out of which to evolve the Second Chamber. I disapprove of the present method of grouping these interests in a single House together with others.

A landlord should be described as anyone paying Rs. 500 or more as land revenue. Artificial qualifications such as *ex* Member of the Legislative Council, chairmen of local bodies, should disappear. Candidates should have an age qualification of 40 or 45 and should have passed the Matriculation or an equivalent examination; in addition they should have an experience of at least three years in a local body.

2. FRANCHISE QUALIFICATIONS.

(*a*) Yes. There is a disparity between the operation of franchise qualifications in urban and rural areas. This is likely to remain, so long as any scheme of uniform property qualifications is adopted as the basis for both the areas. The present disparity of course is due to dissimilar basis of qualifications being adopted for these two areas; in rural areas the property held has mainly got to be a freehold whereas in the urban areas the test applied includes leasehold as well as freehold. Even if other factors are neglected this alone would cause a disparity. Other persons such as those paying income-tax must necessarily preponderate in an urban area.

The only method by which the disparity could be eliminated would be to base the franchise on the age-limit which may be put up or reduced as desired.

(*b*) The suggestion is impossible on any kind of property, income or tax-paying basis. It is impossible for this reason that it assumes that the whole Indian society in addition to the accident of being born in communities is further subject to the most unlikely accident of proportional distribution of wealth amongst the various communities. Inequality of distribution in wealth is one of our most deep-seated evils which more than any other single cause has resulted in the bloodiest disturbances all over the world and least of all can India be expected to be free from it. There is no conceivable method, except age-limit, by which things could be so contrived as to reflect the proportion of population of any community in the electorates to be founded.

(*c*) and (*d*) Have been discussed in my replies to section 1 of the questionnaire.

(*e*) No. Most of these persons will be included in sufficient numbers in any form of a franchise adopted: there is, therefore no need for their special mention in the rules.

Memorandum by Mr. R. M. DESHMUKH. [*Continued.*

3. WOMEN'S SUFFRAGE.

Generally speaking, I would welcome an increase in the women electors; but it seems futile to differentiate in the franchise basis adopted for the community in which they happen to be born and those adopted solely with a view to secure a large number of women amongst the electors. The franchise should be the same as prescribed for the group into which the women ordinarily fall and they should take their chance with that group. It is fairly easy to enlarge their numbers but not quite so easy to bring them to vote.

A possible method to give representation to women is to create a separate electorate for them; but this course is inadvisable as women cut, so to say, horizontally across the whole society and can not be said to have an interest distinct from the group into which they are placed by accident of birth.

4. REPRESENTATION OF DEPRESSED CLASSES.

I have assumed property qualification as the foundation basis for the enlargement of the franchise; and I am prepared to concede that the depressed classes would not be represented in proportion to their population in the electorates under that system. If by the term " to secure representatives of their own choice " is meant that a person born of a depressed class community should be elected; the chances in the system contemplated appear rather meagre; if however it is meant whether they will get a sympathetic response for their demands from the candidates, I think, there is plenty of hope. Enlightened opinion even now is distinctly partial to all reasonable demands of depressed classes and is likely to be much more deferential in the future. But the fact remains that their actual voting strength would not on property basis be so large as to seriously affect the issue. It is possible in my opinion to give a minimum number of seats, say half of their proportion to adult population to the depressed classes in the joint electorates. This minimum to be derived from a fraction to be fixed in proportion to their actual population. It being so arranged to elect them that different general constituencies will elect such a member by rotation to prevent the constituencies for them developing into unwieldy dimensions.

It appears from the discussions which have taken place at the Round Table Conference, however, that no system of joint electorate would be acceptable to the depressed classes; and should this be so, a scheme of separate representation for them will have to be contemplated. I confess that I have the greatest dislike for a system which would stereotype the social differences and put them on more or less permanent basis and introduce them into politics. I hold to the opinion that the only sound system that will ultimately level up or down, as may be necessary, would be to confer a common franchise and leave groups to be formed across the whole society according to interests rather than castes; reserved seats in Joint electorate forming a transitional temporary deviation.

I would go further and maintain that a position is fast approaching, if it has not already approached, in India, when the communities that require protection would be the several Hindu or other communities and not the Muslims. Anyone taking the trouble to apply the tests for separate representation that are generally applied to the Muslims and the arguments used in justification of their founding a separate order within an order, would find, judging by those tests that the Muslim community with very few minor exceptions, is the one dominant community of India. It has greater solidarity and community of interest, greater striking power and power of concentration; and it is more educationally and materially advanced, and capable of taking care of its own interests, in proportion to its population in comparison to the various scattered and disjointed communities of India.

Memorandum by Mr. R. M. DESHMUKH. [*Continued.*

Such is the position, in my opinion, that obtains in India to-day and I would not, therefore, resist the demand of the depressed classes, if it is seriously pressed, more as a concession to our inherent weakness than the strength or the desirability of the claim itself. Once the sound basis is given up we shall drift into a position which would give us the basis for Indian democracy unlike any other democracy in the world, *viz.*, to base our system not on interests but on castes and caste groups formed by accident of birth and containing within themselves all the elements of class conflict and conflict of interests. Such basis would in the long run prove a serious obstruction to our development. But after all the democracy if it is to be real must take the form which will reflect the conditions of its people; and if people desire that we should have different basis for India than elsewhere, their will, howsoever seemingly inconsistent with the accepted notions and without precedent, must prevail.

So long as the Muslims maintain a separate house within a house and wish to be a separate nation within a nation, the demands of a similar nature from others would be irresistible. Every argument that applies to Muslims in justification of their separate electorates, would be found to apply with much greater strength to the depressed classes.

It would in my opinion be futile to resist such demands so long as Muslims do not enter into the general scheme; resistance to such a demand would inevitably lead to further conflicts and serious deadlocks which it is better to avoid. "There are moments when it is safer to go forward than to stand still, wiser to confer institutions even if they are liable to be misused than to foment discontent by withholding them". I agree with this observation of Lord Bryce and hold that this applies in the present instance to the case of depressed classes.

If this be so, a different basis for depressed classes for franchise becomes necessary as property franchise may be calculated to give very small separate electorates. I would suggest that all depressed classes should be enfranchised and grouped into blocks of 20 men and women on the lines contemplated in question number 1 (*f*) of Section 1 of the questionnaire.

I further suggest that in addition to those who would be enfranchised on property basis, all men and women above 30 years of age should be given a vote; the age-limit for men or women having qualifications similar to those prescribed for general constituencies being 21; the reason for differentiation being that the irresponsibility of non-possession may to some extent be compensated by a longer experience in life.

A few words of caution are required to prevent the term "depressed classes" from being mixed up with what are known as "Backward classes". So far as Berar is concerned the "depressed classes" proper approximate to one-seventh and the "backward classes" which include depressed classes to one-fifth of the total population. It is desirable to restrict the separate representation to "depressed classes" proper. Such communities as Wadars, Kolis, Dhimars, Dhangars, Beldars, Kumbhars and Dhobis are not "depressed classes" in the same sense as Mahars, Mangs, Chamars or Mehtars. This distinction should be kept in view.

Further I am of the opinion that minor depressed class communities such as the Mangs, Chamars or Mehtars require protection within that class for the same reason as the depressed classes are supposed to require protection from the general public. I do not propose that there should be further separate electorates within that class; but I do maintain that the seats available for the class should be allotted in proportion to their respective strengths for Mahars and other depressed classes respectively on a system of joint-electorates. Another class which is deserving of special protection and the case for whose representation is stronger than either Muslims or depressed classes is the most backward and inarticulate class of the "Aborigines."

Memorandum by Mr. R. M. DESHMUKH. [*Continued.*

I propose that they should also be grouped separately and all men and women amongst them over the age of 30 be enfranchised. I am making this suggestion especially with reference to the Korkus and other tribes; their population in Berar being according to 1921 Census 160,701 in Berar and they are present in considerable numbers throughout the Central Provinces.

5. REPRESENTATION OF LABOUR.

Labour like women cuts horizontally across the whole society; there would be labourers amongst Muslims, depressed classes, aborigines and women who would exercise their influence through their respective groups. A system of separate representation for labour could, therefore, hardly be contrived without a lot of overlapping in various groups and would be impossible without introduction of plural voting. We cannot adopt the vertical division of society into communities by birth as well as the horizontal division into groups of interest like labour as a satisfactory basis for any scheme. Owing to our extraordinary and passionate love for communal representation we may be regarded to have rejected the scheme of horizontal division. It only remains, therefore, for labour to be represented through the communal groups into which they happen to be born.

In urban areas which will find a lot of labour enfranchised, and if it is organised, I have no doubt that it will exercise the full measure of its influence through the groups into which it would communally divide itself.

In rural areas leasehold qualifications will bring in a certain number of persons, whose interest may not be very far dissimilar to labour, even in the general constituencies. I do not, therefore, propose to make any suggestions about separate labour representation, unless the system now to be established should show defects which make it necessary in the future.

General remarks.—As a general remark I should like to observe that wherever a separate communal representation is granted, persons from that community shall neither vote nor stand as candidates for general constituencies.

II.—THE FEDERAL LEGISLATURE.

6. ALLOCATION OF SEATS TO BRITISH INDIAN PROVINCES.

With regard to the preliminary part of this section of the questionnaire the only observation I have to make is that the figure for Central Provinces ought to be split up and shown separately for Central Provinces and Berar. For various reasons into which it is unnecessary to enter at this stage, Berar ought to be made a separate and a distinct unit of representation in the Federal Legislature; whether this is achieved by making it into a separate Province or a sub-Province is a matter that is perhaps outside the scope of this committee; but a mention of the fact must be made here that the necessity and the desirability for separate representation for Berar in both the Chambers is generally admitted and in actual practice is in existence to-day.

(*a*) I agree that this system may be given a trial. It may, however, be noted that a similar system has recently been abandoned in the United States of America after a full trial; but there elections were not by proportional representation; nor are the parties in India very strongly organised as in America. So the conditions here are entirely different and the system may have a fair trial in India.

(*b*) In my replies to the questions regarding Provincial Legislature I have contemplated two types of electorates:—

(*i*) communal, based on what is almost an universal adult franchise;

(*ii*) general, based on property and supplementary qualifications.

Memorandum by Mr. R. M. DESHMUKH. [*Continued.*

Taking the census of 1921 for the basis the population in Berar that would fall under head (*i*) would be—

Depressed classes	563,300
Muslims	245,000
Animists	160,700
TOTAL .	969,000

This would give us for these classes, assuming that uniform bases are adopted for them, about 6,000 voters per district. If we add to this figure the number of present Legislative Council voters, say, in Amraoti district, it would be—

(*i*) Rural	10,000
(*ii*) Urban	6,000

Supposing, therefore, that Amraoti district on these bases were to be one constituency for the Lower House, it would mean 22,000 voters.

Making deductions (*i*) for the higher age-limit comtemplated by me in communal electorates, (*ii*) for overlapping of depressed class voters both in rural and in urban areas that takes place at present, and (*iii*) for persons who would be under disqualifications to be laid down, the figure would work down to about 15,000; to this figure an addition of approximately one-sixth shall have to be made for an increase in population over the population in the year 1921. Such increase will largely affect the electorates under head (*i*) and not so much under head (*ii*) which means an increase of about 1,000 voters per district.

This would in my opinion give us a fair sized territorial constituency to be worked by a candidate.

I would, therefore, suggest that the present Legislative Council qualifications of a voter should be adopted as the basis for the direct election to the Lower House for what are described above as general electorates and these should vote with the communal electorate voters in a common constituency formed on territorial basis, *viz.*, a district.

In making this suggestion I am presuming that four seats in the Lower House will be allotted to Berar and I think this number ought to be allotted to it.

The system described above does not take any notice of the urban as against rural or communal as against general interests. This is extremely difficult to arrange without rendering the size of the constituencies unduly large, the organisation of it almost impossible, and keeping in touch with it incredible. Should this, however, not be found suitable, I would make the alternative suggestion that the electorates be arranged in the following manner:—

(*i*) That all persons entitled to communal electorates should get one seat.

(*ii*) That all urban areas, *viz.*, areas with a population of 5,000 or more should have one seat.

(*iii*) Districts of Akola and Amraoti one, and Districts of Yeotmal and Buldana one seat each in alternate rotation, one major and one minor district electing a member at each general election.

Memorandum by Mr. R. M. DESHMUKH. [*Concluded.*

7. REPRESENTATION OF WOMEN LABOUR AND DEPRESSED CLASSES.

So for as Berar is concerned I have no further suggestions to make. Depressed classes and women have been provided for in this scheme to such an extent as it is practicable to provide for them. Organised or organisable labour in Berar is lacking and most of it cannot be distinguished from the classes of which it forms an integral part. Labour will, therefore, have to be represented through industrial parts of India such as Bombay where it is present in an organisable form and can be so distinguished and is present in sufficiently large numbers to justify a separate seat.

8. GENERAL.

Generally speaking, the existing franchise has not resulted in the formations of parties on clear-cut programmes or issues. The elections are still largely personal and are worked more on prejudices than programmes. In the absence of parties, discipline cannot be enforced. There is no organisation outside the Councils which can either guide or control the actions of the representative, nor is there a machinery through which he could keep in touch with his electors. As a result of four general elections there is now some understanding of the issues and enough material out of which party development can be reasonably expected with the growth of responsibility.

Inside the Councils groups are formed which exhibit a fair measure of discipline; but the representatives act according to what they interpret to be the will of their electors, and there is always a number of persons who would not bind themselves to any party, and act and vote much as it suits them.

Discipline is lax and sits very lightly on some people. A party with its Ministers in office votes against them on resolutions highly inconvenient and difficult for them to carry out, and when such resolutions are not given effect to—even as budget cuts—no censure or breach of discipline is supposed to be implied thereby. Neither the Governor nor the Ministers nor their parties work on a plan whereby the conflict with the responsibility of the Ministers to the Council could be avoided. All this is perhaps inevitable under a system which does not confer full responsibility nor a fully elected body and where the executive can choose to interpret the vote in a manner suited to its convenience.

There is no system of separate electorates to the local bodies in the Province. The Muslims have not found it difficult to get elected in proportion to their population, especially in urban areas, and even in rural areas wherever they choose to stand they have the same chance as the others. Even depressed classes could secure seats where, as in Nagpur, they made an effort to concentrate their votes.

In the gram panchayats in the Province there are instances where depressed classes could secure half the number of seats by concentrating their votes.

Unfortunately there is a tendency on behalf of the Muslims and depressed classes to avoid the worry of an election and to pin their faith in nominations, which exist for all the higher constituted bodies in the Province and are used in a manner specially favourable to them. Even so it cannot be maintained that candidates are solely rejected on the ground that they belong to minority communities.

The whole system has not been in operation for an adequate length of time to enable us to draw permanent conclusion; but, generally speaking, there appears to be a tendency which would render communal considerations futile after a few elections and tend to promote the growth of public opinion on parties and programmes.

Mr. R. M. DESHMUKH.

1. *The Chairman:* You would prefer not to take the 10 per cent. You would take the educational qualification, the income qualification and the property qualification and determine the strength of the electorate?—Yes.

2. If adult franchise is considered impracticable, as an alternative and as a method of limiting the franchise, you are suggesting the age of 25 or 30?—Yes.

3. You would disqualify all people under that age?—Yes.

4. Would not that meet with much opposition?—The corresponding expansion that would take place would do away with the opposition.

5. Don't you think that the youth would be left out altogether under your scheme?—They would be useful in canvassing. They will have their functions in party organisations all the same.

6. You recognise that franchise is one of the methods for preventing revolutionary agitation?—Yes.

7. Revolutionaries are mostly young people?—Yes.

8. Elder persons are less revolutionary?—Yes.

9. If you disenfranchise everybody under 40, there will be discontent?—There is that likelihood. But I have suggested that only as an alternative method. If property qualifications fail to give 10 per cent., then other avenues are to be explored.

10. You are in favour of a second chamber?—Yes.

11. As a corrective to the lower house?—Yes.

12. You are in favour of the group system as a possible way of enfranchising the depressed classes and women?—Yes, provided it is known that separate electorates are to be constituted for them.

13. Do you think the aboriginals are capable of coming into the electoral roll?—Yes.

14. If grouped separately?—Yes. We have now a system of elections introduced among aboriginal tribes and persons who have been elected in that way are in no way inferior to the generality of people elected from the other constituencies.

15. *Sir Muhammad Yakub :* What in your opinion should be the proper percentage of voters in order to begin a system of responsible government?—You can start responsible government on any proportion.

16. You think that with the 3 per cent. of the population as voters you can have responsible government?—Responsible government will exist all the same whatever the proportion of the population enfranchised. Responsible government only means that the Cabinet should be responsible to the legislature and so long as the Cabinet howsoever elected and howsoever kept together is responsible to the legislature, responsible government will be there.

17. Don't you think that if you enfranchise a very small number of the population, responsible government would be a mockery?—Not necessarily.

18. If only a very small percentage of the population has a voice in the administration of the country, what is the meaning of responsible government?—Well, it is a matter of opinion whether it is mockery or not.

19. What, in your opinion, should be the percentage of voters to the population for making a start in responsible government? To what extent should the franchise be enlarged?—I have seen the local Government's memorandum and I would accept, according to the calculation made therein, about 10 per cent. to 12 per cent. for enfranchisement.

20. Don't you think that more than 10 per cent. should be enfranchised?—No. Not at this stage.

21. What are your reasons?—I think you have got to get used to the electoral machinery. If a larger proportion of new voters are to be brought

in, some time must elapse. Time is necessary to make them get accustomed to all these formulæ. It may be possible within another ten years or so to take a further step. As a first step I should think this should be enough.

22. Will the enlargement of the franchise affect the quality of the members?—Quality of the members might perhaps be affected to a slight extent, but the quality of the voters will not be changed.

23. How will it affect the quality of the members?—It is not exactly possible to imagine how exactly it would affect. It may be that a larger number of people who reside in rural areas and who are more in touch with rural needs will be coming in than at present. At present, even people representing rural areas ordinarily reside in urban areas. It may not be possible hereafter for urban area people to come in to represent the rural interests. That is how it might affect the type of candidate that is sent to the Legislative Council.

24. It would affect the quality of the candidates?—It would not affect it to a very large extent.

25. Would you like to have the same qualifications for candidates as well as the voters?—I would be satisfied with the present qualifications and disqualifications of candidates and voters. The difference between the present qualifications of a candidate and the present qualifications of a voter is that the voter is required to be 21 and the candidate 25. For a popularly elected house, 25 should be quite fair.

26. Don't you think that it would be necessary to have educational qualifications for a candidate when we are going to have responsible government for the first time?—I do not think so, for this reason that if you prescribe educational qualifications for a candidate, it will have to be a fairly high one if it is to achieve the object and the least that you can prescribe would be about the matriculation. But that would restrict the choice of candidates belonging to certain communities (backward communities) to such an extent that it will probably be resented and even resisted. Therefore it would not be desirable to impose such a disqualification on the candidate so to say.

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27. *Mr. Chintamani:* In what manner would you constitute the first chamber if you have a second chamber of the type you have advocated?—The first chamber would consist of representatives from the rural constituencies, urban constituencies and the general constituencies.

28. When you speak of general constituencies, do you mean purely territorial constituencies without any distinction of communities or territorial constituencies of Muslims, non-Muslims and so on?—Of course, I personally stand for general constituencies. I should like to have no reservation of any kind or any type whatsoever. Under the present circumstances, taking stock of the position, it does not seem possible to advocate general constituencies pure and simple. Certain concessions will have to be made and will be made in spite of us to certain communities. Taking account of that, I contemplate a certain number of communal constituencies and for the rest, general constituencies.

29. Granting that there will be Muslim and non-Muslim constituencies for the lower chamber, you would have an upper chamber exclusively representative of interests?—Yes.

30. But supposing owing to some unfortunate conditions on account of which you say we cannot have joint electorate, it is also found that you cannot get rid of representation of interests in the lower chamber to a certain extent, would you still have a second chamber?—I would have a second chamber in any case.

31. That is not what I gather from your written statement?—I would stand for a second chamber at any time.

32. You modify your written statement to that extent?—Yes.

33. With regard to the second chamber you have mentioned only the cost of the elections. Will not a separate staff be needed and will not members have to be paid their travelling and other allowances and will you not have to pay for the President and the Deputy President? Will not the cost then come to a respectable figure?—But all these are not going to add to the expenses to a very large extent. For a council of 72 members we only provide for Rs. 50,000 for travelling allowances in our budget.

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34. *Mr. Tambe:* Have you seen the proposal of the local Government about the formation of constituencies?—Yes.

35. I think you have an intimate knowledge of the Berar constituencies? —Fairly.

36. Have you any comment to make with regard to the proposed constituencies?—Of course so far as Berar is concerned, I would state that the joining of two taluks constituting them into a one member constituency is not maintainable in certain cases. For instance, since these papers came into my hands, I have had representations made to me protesting against this kind of arrangement. Moreover, from the point of the large number of electors and the large territorial area that will be given to a single member to canvass, it would not be desirable to keep these combined constituencies. It should be one member for each taluka as the Franchise Committee suggested.

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37. *Diwan Bahadur Ramaswami Mudaliyar:* Are there any elderly statesmen in the Central Provinces and Berar now? Are there any persons whom you describe as elderly gentlemen by their sobriety and by their wisdom who would add weight to any legislature and stability to any constitution?—Everybody becomes sober as he advances in age.

38. So, there is no ready-made sober element at present in the Central Provinces?—Nobody is born sober.

39. If that is so, what is your idea of a second chamber? Why do you want it? It is I take it for the same reason that generally second chambers are wanted anywhere else, *viz.*, to put a brake on the impetuosity of the first chamber, to let the first chamber realise its own folly, if necessary, and so on?—Yes, and to pass second-thought legislation instead of first-thought legislation.

40. You have been a member of the local Legislative Council and a Minister. Can you say that your Legislative Council has run away with popular opinion at any time and has jeopardised the interest of any section of the community either in legislation or otherwise?—That would not hold good for the next reforms.

41. I know the obvious answer will be that the next reforms will be fully responsible government and so on, and that the nominated brake will go. But I want to know whether in the present composite council, there have arisen occasions when the second chamber has run away with its imagination for so-called popular ideas and has in any way jeopardised the interests of any considerable section of the community?—Under the present constitution, it cannot very well run away like that. There is no scope.

42. But has there been any instance where but for the nominated and official element, legislation would have been passed by the Legislative Council which would have been ruinous either to landholders or to commerce?—The elements that will be coming in hereafter are not there now.

43. I want to know the facts as they exist now. Can you give any instance where, but for the nominated element and but for the Government

officials, your legislature would have passed any bill which would have been detrimental to the landholders?—No.

44. Or to commercial interests?—No.

45. In fact, the commercial interests in your province are so few that your own Government has not recommended any seats in the Lower House to represent commercial interests?—Yes.

46. Neither has it recommended any special seat for landholders?—The Government has recommended, but the Franchise Committee has not.

47. What is the extent of the material that will be available for composing any electorates that may be necessary for election to the second chamber? Have you any idea of the extent of the electorate that will be available?—The present franchise limit is Rs. 1,000, and that gives us a constituency of about 600 to 800 in Berar. If we lower the franchise limit to, say, Rs. 500 or Rs. 250, that will give us an electorate of sufficient importance and sufficient size.

48. About commerce and mining industry, what sort of electorate would you recommend?—The factory owners.

49. How many?—70 or 80.

50. Do you think, Mr. Deshmukh, as a public man and as one holding the important position of Minister, you can fairly suggest that about 2,000 landholders big and small and about 70 or 80 commercial men can have the sole power of revising the decisions of the legislature acting on behalf of the people?—It is not necessary that the landholders should have a separate electorate.....

51. What other element would come into your second chamber?—None other.

52. Therefore I am putting it to you, do you think it would be a fair proposition, a proposition that will stand the test of time and popular agitation which will be inevitable for a second chamber composed of all these small elements, to act as a check and an irritant to a lower democratic elected House?—If it begins to act as an irritant, it can be expanded. We could see the result of it.

53. *Mr. Bakhale:* Assuming that your alternative scheme of enfranchising people on the age basis is adopted, could you tell me the number of people who may be disfranchised and also the number of people who may be enfranchised?—I am afraid I have not worked it out. I have only suggested it as an alternative scheme, and I could not give it to you in figures.

54. Do you think that under your scheme the number of people that will be disfranchised will be smaller than the number of people that will be enfranchised?—Yes, I think so.

55. It will lead to popular contentment to a larger extent than at present?—Yes.

56. Then, as regards labour, do you recognise urban labour as a definite economic interest which should find representation on the local Council?—That depends on so many factors. If, for instance, the depressed classes get separate representation or a certain amount of representation through the separate electorates, they would be subject to the control of large labour population in urban areas especially.

57. Leaving aside for the moment the communities that form the labour population in urban areas—after all, the economic interest of the labour population whether it is depressed class or oppressed class or Muhammadans is more or less the same—, if they want to improve their condition, they must all pull together and give a fight to the employers. If that is so, don't you consider that under existing circumstances, industrial labour should be adequately represented on the Legislature?—Through the urban areas, it might. And, so far as rural areas are concerned, a person paying

Rs. 10 as land revenue cannot be said to be holding interest in the sense in which a landholder holds interest.

58. Assuming that under the scheme of enfranchisement proposed by your Committee and the Government, the industrial population may not be enfranchised to the extent to which it should be, would you consider the desirability of adopting some other suitable remedy to secure representation for these people?—I suggested that the basis of qualifications that could be explored is the income basis, and if the income, for instance in urban areas, is put at Rs. 120, it would give almost the same electorate as the present municipal electorate which contains a very large element of labour population.

59. Even under the municipal electorate you know very well that although almost every adult labourer has got a vote, still not one—to my knowledge at any rate—in your province has been returned to a municipality except perhaps one in Nagpur?—Well, there are wards through which they can come.

60. But they were not returned and this is a matter of fact?—It depends on how you describe the representation of labour. There are distinctly depressed class members elected to the Nagpur Municipality, and they are as much labourers as any labour candidate could be, and I think they are quite capable of representing labour interests as any labour candidate.

61. Don't you think it would be a serious mistake to divide labour into depressed classes, oppressed classes, Muhammadans and Hindus, if their interests are to be safeguarded and protected?—That is exactly my difficulty. That is why I am not suggesting any differentiation.

62. In order to improve the lot of industrial workers in your province there should be some suitable remedy so far as the labourers are concerned?—I am afraid I cannot get at the bottom of the question.

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63. *Mr. Bhargava:* Referring to page 15 of the Government report, would you base the claim of Berar on the territorial division of the population?—On the territorial division of the population and also the importance of a province or a single territory in the province in proportion to the contribution it makes to the general revenues.

64. All things put together, would you take the population, income of that particular part and area into consideration?—In the constitution that is to come, the financial relations of Berar and the financial safeguards to Berar have got to be considered. If Berar is to be retained in the Central Provinces, it has to be given some weightage in order to maintain its financial relations.

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APPENDIX.

Supplementary Statement by Mr. R. M. DESHMUKH.

1. After my appearance before the committee at Bombay on 15th March 1932, I have given further consideration to the point of direct and indirect modes of election. I propose to make certain suggestions in this note, assuming that the committee at the end of its enquiry finds it necessary to evolve a system by which a secondary electorate would be formed by an indirect method or partially direct and partially indirect method.

2. I have had the benefit of hearing certain statements made by R. B. Naidu, Sir M. V. Joshi and others. Their suggestions are, in my opinion, open to serious objections. At any rate the systems advocated by them would not be easily workable, simple, understandable and manageable with facility and quickness needed in a system of elections.

Supplementary Statement by Mr. R. M. DESHMUKH. [*Continued*

3. In the system suggested in question 1-(*f*) of the Franchise Committee's questionnaire the difficulties, of forming the groups, the persons to be charged with framing of the groups and holding of the elections, the long period involved in the preparation of electoral rolls, and above all a strong communal colour in the electorate, cannot for obvious reasons be avoided. All this is highly objectionable from the point of view of the development of the right spirit in an infant democracy such as we have in India. I would therefore not favour the system.

4. The scheme that I am about to describe would, I am confident, stand the test of most of the requirements of an easy method coupled with the absence of most of the administrative inconveniences felt by the advocacy of the several methods.

The essential features of the system that I would advocate are:—

(*i*) That a village shall be considered to be a group which shall elect the electors; in the case of a big village or Urban areas the same system could be applied by wards. A village or a ward forming the unit for primary elections;

(*ii*) Each unit shall be examined from the point of view of the latest Census figures; and a quota from each major community in the unit shall be fixed in proportion to the population at the rate of 1:20, *i.e.*, one elector for every 20 souls in the community.

In the case of minor communities who do not number even 20, all the minor communities will be added together and their quota shall be fixed on the combined strength so derived. In each case an excess of persons below 10 in number shall be ignored and above 10 shall be taken to be 20: thus giving them an additional elector in the latter case.

(*iii*) Having thus derived the quota for each community, I would require the whole village to furnish the number of men from each community as would be fixed according to the quota;

(*iv*) The procedure to be followed would be that village officers or enumerators, such as we appoint at the time of the Census, or Panchas to be appointed "Ad hoc" would require the voters from the whole village to attend at a public place on the date and time to be appointed. Such of the villagers as obey the summons would then proceed to elect the electors according to the quota from each of the communities.

The persons conducting these elections shall announce the quota and require the names; when all names are received they shall proceed further. If the number of names furnished does not exceed the quota, the names suggested shall be accepted. If the number exceeds the number required according to the quota, the decision shall be by a show of hands, those receiving the least number of votes being eliminated. In case of an equality of votes amongst the person at the bottom of the list, a decision shall be taken by the procedure, which is now quite familiar, *viz.*, by casting lots.

(*v*) All adults shall have a vote, there shall be no preliminary lists, nor shall there be an elaborate procedure of objections or election petitions.

(*vi*) The list of electors so compiled shall be the voters list; this shall be duly published and the procedure after these preliminary elections are over shall be very much the same as at present.

(*vii*) If I have understood the demands of Muslims, the Depressed classes, or the Ladies correctly: it is their accepted stand that

if they could by some method contrive to get their proportion to population reflected in the electorate, they would not insist either on separate communal electorates or reservation of seats. If that be so the scheme will obviate the necessity for complications of that type in the coming constitution, since all communities—as we have already seen—would secure a number of electors proportionate to their population in any given constituency; similarly all labour population would be included in some form or other and there would be no necessity for their special seats.

(*viii*) These elections like the Census—could be held all over the province simultaneously. This would ensure rapidity and the use of undue influence on the scale to affect the whole electorate under such a system, would be so large as to render itself, impossible and impracticable.

(*ix*) I would require no particular qualifications for electors under this system, but I would prescribe disqualification, *e.g.*, Lunacy, minority Bankruptcy, official or semi-official position and the like.

(*x*) As there is a great chance of men with property, education, etc., being excluded altogether from the list prepared under this scheme, I would not make it obligatory for candidature to have one's name appear in the voter's list. I would further prescribe that a candidate should at least be 25, should have an educational qualification, should hold property qualification required by the present constitution, and be subject to no disqualifications.

While at Bombay I got the impression that some members of the Central Committee would prefer to have ideas on a system which would combine the advantages of Universal suffrage with some sort of an indirect system, with a view to avoid administrative difficulties. At the same time some members appeared anxious to achieve the object of securing an electorate which would avoid the necessity for communal electorates. I in consultation with my friend Rao Sahib W. S. Patil, M.L.C., member of C. P. Franchise Committee, have therefore after further consideration thought out the scheme, in the hope that it will meet every requirement and will help the committee in coming to a conclusion.

Let us now examine the results of such a scheme if adopted:—

(*i*) That it contains within itself the element of sliding scale arrangement for the expansion of electorates, should experience disclose that the time is ripe for further advance.

Thus on the basis of 1: 20 we shall have the size of electorate fixed at 5 per cent. With experience we could make it 1: 10 or 10 per cent. at the next election and so on, till we achieve full adult suffrage and end the quota system altogether.

(*ii*) We could give the vote to every person and at the same time keep the constituencies from growing unwieldy.

(*iii*) That such a system would, as nearly as possible, reflect the proportion of the population of any community in the electorate so formed and thus achieve the object set out in question 2 (*b*) of the questionnaire. The deflection in proportion of voters to the proportion of the population, if any, would under this system be negligible.

(*iv*) Since the whole village would elect the electors, there would be no particular communal colour exhibited, such as distinctly

Supplementary Statement by Mr. R. M. DESHMUKH. [*Concluded.*

communal electorate or electorate formed by communal groups of 20, would exhibit.

In my original replies I have stated in reply to question 2 (*b*) that there is no conceivable method, except age-limit, by which things could be so contrived as to reflect the proportion to population of any community in the electorate to be founded. Although the foregoing ideas had presented themselves to my mind, I could not then make up my mind to put down the whole scheme in my reply. But after my visit to Bombay I was emboldened to advocate the scheme, and to put it forward for the consideration of the committee together with the other schemes that will be considered by it in due course.

These replies of mine do not affect my replies on other points, *e.g.*, Second Chamber, or Federal Legislature but they do modify my stand to the extent of my reply to question 2 (*b*) of the questionnaire.

I am confident that this scheme would stand any test and besides being simple is capable of answering all the difficulties that present themselves in the various systems advocated; the only question it cannot answer is about the direct system of election.

This system could be combined with some sort of a directly enfranchised electorate, but such a scheme would not be suitable as it would seriously disturb the proportion of electors in accordance with their population, to secure which object is an essential part of the scheme; and if the proportion is so disturbed we could not secure abolition of all communal and special electorates which is another prominent object of this scheme.

In considering the future electorates too much stress is, in my opinion, being placed on the object of securing electors from each class and community and too much attention is being concentrated on the point of securing persons belonging to certain communities securing certain number of seats. What is required is that, rather than persons, the interests of the class of persons should be represented and the wider and more impersonal the electorate the better would be the scope for healthy growth of public life. This would sufficiently guarantee the object laid down in the Prime-Minister's announcement.

In my opinion administrative convenience of the management of an electorate is at present receiving rather more than its share of attention and the expenses and convenience of the future candidates practically no attention from the Committee. The latter ought also to be considered in a country where resources of an individual in most tracts are extremely limited and resources of parties non-existent. If we make the electorates too large we practically limit the choice of the electorates to persons who could afford to finance such elections. The Government's administrative convenience should certainly be consulted, but the other factor, *viz.*, whether an electorate that Government could administratively organise could get candidates with enough resources to finance it, is also a vital point to be considered.

I am writing this note in the hope that it will help the Committee with a solution which I have not seen advocated before it so far.

Memorandum submitted by Mr. B. G. KANE, Bar.-at-Law.

The Indian Christian community in this Province shares with the rest of the Indian community in this country, the desire that complete provincial autonomy should be introduced in the Provinces at once and along with this there must be responsibility introduced in the Central Federal Government with certain reservations as may be found necessary.

Memorandum by Mr. B. G. KANE. [*Continued.*

The Indian Christian community desires to maintain its connexion with England and is convinced that the partnership of India in the Commonwealth of Nations will be for the mutual good of all concerned.

I am quite sensible to the fact that there are two distinct views held by the members of this community on the question of representation, *viz.*, separate electorate or joint electorate with the reservation of seats. The All-India Christian Conference in submitting the memorandum to the Statutory Commission have taken into account the pros and cons of both the above-mentioned systems and have definitely come to the conclusion that under the circumstances " a joint electorate with the reservation of seats " was the only system national in character which could be adopted for the representation of this community in the Provincial Councils.

As far as possible the representation of this community should be on the population basis; but if any other minority community is to be given " weightage " then a similar weightage, if not more, should be given to this community. This question can only be settled in each Province on its merits. In fact if the principle is accepted that as long as the representation by communities is deemed the only practical way then all important minority communities in such Provinces should be represented in excess of the numerical strength, with due regard to the position and interest of the majority communities concerned.

I have taken the number of our future Provincial Legislative Council as 100, because the note that was submitted by Mr. McClenaghan, I.C.S., Officer on special duty in this Province, mentions that a House of about 100 members was all that is practical in the immediate future as suitable candidates for a large House would probably not be forthcoming and in any case the provincial finance would not stand a large building programme in the immediate future and hence my suggestion is based for a House of 100 members only.

According to official statistics about 6 per cent. of the *male* population of 21 years of age and over is enfranchised at present in Berar and about 4½ per cent. in the Central Provinces. This means that the percentage of franchise to the total population is less than half this figure. The Round Table Conference has recommended that at least 10 per cent. of the total population should be enfranchised. The latest census figures available for 1931 show that the total number of population of our Province excluding Feudatory States is 15,472,628, *i.e.*, about 15½ millions. Out of this 7,726,445 are females and 7,746,183 are males. The existing electorate of our province is 200,000. Now according to the recommendations of the Round Table Conference 10 per cent. of the total population, *i.e.*, 1,500,000, will have to be enfranchised or just over seven times the existing electorate; to achieve this result there is no other alternative but to accept the qualifications of the present municipal and local board voters for the council constituencies with an additional primary educational qualification independently of property qualification and then only, I think, we shall come somewhere near the required 10 per cent. of the total population which has to be enfranchised.

The Provincial Legislative Council of 100 elected members as mentioned above would consist of the following communal, general and special constituencies with their respective numerical strength:—

Indian Christians.—A reference to paragraph 45, page 31, Volume I of the Indian Statutory Commission Report, would convince anyone of the importance of this community in India. At present there are no seats for this community in our Provincial Legislative Council, not even by nomination though several memoranda in the years gone by were submitted to the Government. It is really strange that this community should have been ignored in this way especially when the literate population is about 28 per cent. to the total population of this community in this Province and about 19 per cent. are literate in English This is the third largest community in India. From the

Census Report of 1921 it will be found that this community has the highest percentage of literacy as compared with other Indian communities. There is also another very important fact that could be taken into consideration, *viz.*, that there is a very high percentage of literacy amongst the females in this community. This is a growing community and this fact should also be taken into consideration when allotting the number of seats in our Provincial Legislative Council. In fact this community has to its credit the largest percentage of increase in India as compared with other communities. In the Census of 1911, the Indian Christians were in the proportion of 102 per 10,000 population but in the Census of 1921 they have grown in the proportion of 123 per 10,000 population. I am sure in the Census of 1931 they will show a still greater increase.

According to the Census of 1921, the total population of the Europeans in the Province was 5,892, *i.e.*, 6,000, including the British soldiers at the military centres in the Province. These British soldiers, really speaking, should not have been included as they are of a transitory unit; even then the Indian Statutory Commission has allotted one seat to this community. The Anglo-Indian population according to the Census of 1921 in this Province was 3,574 all told and for this also the Indian Statutory Commission has allotted them one seat. If we were to apply the same proportion for the number of seats that should be allotted to the Indian Christians in this Province then according to the Census of 1921 the Indian Christian population in the Province being 68,252, the number of seats that would have to be allotted to this community would be either 11 or 17 respectively. Even if the combined population of the Europeans and Anglo-Indians is taken into consideration the proportion would come to about 7 seats for Indian Christians.

The Muhammadans have been allotted 15 per cent. of the elected seats in the Provincial Council—*vide* Southborough Committee Report, page 263, as compared to the 4 per cent. of the population. This will show that they have been given weightage and as such this community also is entitled to similar weightage. The memorandum that was submitted to the Indian Statutory Commission by the All-India Christian Conference mentioned that a provision should be made that wherever a minority community is entitled to one-third seat on the population basis the fraction should always be converted into a full seat. Hence my suggestion is that in a Council of 100 elected members as suggested about 1 seat in Berar and 2 seats in Central Provinces may be allotted to this community in this Province, which will be not only just but reasonable, and equitable proportion.

Depressed Classes.—The representation of the depressed classes in our Provincial Legislative Council, is an exceedingly important and difficult question. It is more than apparent, that there would be no hope for the depressed classes getting their own representatives elected in general constituencies, without special provision being made to secure the same. There is no doubt, as the Auxiliary Committee mentions in its report that the education of these classes raises a question of great difficulty and importance Their problem is economic as well as social, and for them material progress is largely dependent on educational opportunity. There are two schools of thought, one is for the separate electorate, and the other is for a joint electorate with the reservation of seats. The Indian Statutory Commission, mentions in Volume II, page 65: "If separate electorate have to be maintained for certain classes which have already secured them, that is no reason for bringing other cases within this mode of treatment if it can be avoided." I am a firm believer in the principle of joint electorate with reservation of seats, for a community who deserves special protection, and I shall welcome the day when Muhammedans also join in this scheme. The case of depressed classes is really a very peculiar one in this Province, and as such I think at least for some years to come they should have "separate elec-

torate", unless the majority of the community as such is willing to join in the "joint electorate with the reservation of seats".

The Indian Statutory Commission has recommended in Volume 2, page 67, a principle for the reservation of seats for the depressed classes as follows:—

"The proportion of the number of such reserved seats to the total number of seats in all, the Indian General Constituencies should be three-quarters of the proportion of the depressed class population to the total population of the electoral area of the Province."

The provisional figure of the total population in this Province for 1931 is 15,472,628, that is about 15,500,000. Out of this the depressed classes population is about 3,720,000. Now if we work up the above formula, the number of reserved seats for the depressed classes, in this Province, in a Council of 100 would be about 18. The present strength of this community in the Council is only 4, and the proposal to increase the number to 18, in a Council of 100 members, seems to be far too advanced of the social and educational conditions prevailing amongst them.

It is really unfortunate that in no other Province except Bombay and Madras, and there also only a rough estimate is available, has it been possible to get an estimate of the number of the depressed classes, who are qualified to vote. (*Vide* Volume 2, Indian Statutory Commission, page 65.) One has got to thus base his own figures for this Province, with the aid of the rough figures that are available for Bombay and Madras. According to the present qualification of voters, the depressed classes there form 4·1 per cent. of the total number of voters in all the general constituencies, while in Bombay they form 2 per cent. only, of the total number of voters in the Presidency. If we were to take a mean of both the above Presidencies, for approximately calculating the number of voters in this Province, roughly it will come according to the present qualifications to about 7,000 voters.

I have already suggested above that the municipal and local board qualification will have to be introduced, with the addition of the educational qualification independently of the property qualification, in order to keep a uniform qualification as far as possible, and at the same time try to bring about the enfranchisement of about 10 per cent. of the population, the number of voters of the depressed classes in future would at the most amount to about 21,000 in all. Under such circumstances I think 18 seats in a Council of 100 would be far too many and hence *I have suggested 10 seats, 4 seats for Berar and 6 for the Central Provinces.* According to this calculation there will be one seat for every 2,000 voters. At present there are only four representatives of this community nominated in the Provincial Legislative Council, and now they will be getting 10, so that in all they will get 10 per cent. of the total number of seats in our Council. In other words two and a half times more than at present.

In this connection I may be permitted to point out that a large proportion of this community are annually joining the Indian Christian community; the Indian Church has the privilege to uplift them and to help them to enter into the fullness of human life. The intimate contact with the depressed classes, gives the Indian Christians, a first-hand knowledge, of their needs and their disabilities. In many ways an Indian Christian can speak on their behalf, and interpret their innermost feelings.

Women.—Women require a special protection as the present voting qualification given to them on equal terms with the men, is based mainly on property qualification, and this has produced in actual practice, a very great discrepancy, in voting power, as the number of women holding property is small. Contemporary events have shown that even after women have been enfranchised, the general public, as a rule, have been slow to elect them in any number to Public Assemblies, on account of force of convention and habit, and therefore some special arrangement should be devised allotting

temporarily, a small proportion of the seats, on the Legislative Council to women.

According to the latest provisional figures of the 1931 Census. the female population in this Province is as follows:—

7,726,445 . .	Females all told in Central Provinces and Berar.
6,042,986 . .	Females in Central Provinces only.
1,683,459 . .	Females in Berar only.
21,000 . .	Females who are Primary Certificate holders, in Central Provinces and Berar.
29,000 . .	Literate only (Census 1921), in Central Provinces and Berar.

These are all the figures that are available with regard to women. We have got to take into consideration the circumstances of the general class of women that we have got in India, and then come to the final decision as to the correct solution of their representation on the Councils.

The Indian Statutory Commission has recommended to add to the present qualification of women voters, (*a*) a wife over 21 years of age who has property qualification to vote, and (*b*) being a widow over that age, whose husband at the time of his death was so qualified, and (*c*) independently of property qualification an educational qualification should also apply to women over 21 years of age.

This method would have been excellent in increasing the total number of voters for women, but taking the conditions and the circumstances of the majority of the females in India, I think according to (*a*) above, this will be nothing more than giving the husband a double vote. I quite admit that there will be many who will exercise their independent vote, but such a number would be just like a drop in the ocean. As regards (*b*) a similar fate but in less degree would be occurring. Educational qualification would be a sound method, but there the number of voters that would be enfranchised will be very very little. Women have got to be trained up slowly but surely in the body politic of India, and therefore I suggest that at least for ten years to come, absolute separate constituencies should be created for women, and they should elect their own representatives to the Councils. Separate polling booths are suggested, so that even the *pardanashin* voter will not find it awkward to attend the polling booth to exercise her right of vote.

I would keep the same qualification for a voter, as is suggested by me above for men, but in the case of women I would lower the educational standard, from the primary school certificate holder to that of "Literacy" only, as interpreted in the Census Code in order to increase their voting strength. 1921 Census shows 29,000 adult women as literate. In the present Council there is only one seat for women, and that too is by nomination. I think under the circumstances, I am going to suggest 5 seats in all in our Provincial Council of 100; out of these 2 seats for Berar and 3 for the Central Provinces. I presume that the 1931 Census figure would show the literacy of adult women over 21 years of age, as 33,000.

Muhammadans.—The provisional figures of the Census of 1931 show that the population of this community in this Province is about 620,000, *i.e.*, about 4 per cent. of the total population. The number of seats allotted to this community in the present Council is 7, *i.e.*, 9·6, of the total number of seats. According to the population ratio they should have been entitled to only 4 seats. But the Imperial Government against the wishes of the then Chief Commissioner, Sir Benjamin Robertson, imposed on this Local Government two important elements at least as far as this community is concerned (*vide* Southborough Committee Report, page 260), one of "separate representation", and the other of "Weightage". The history of separate

Muhammadan representation is very lucidly given in Volume I, of the Indian Statutory Commission, Appendix V, page 183.

The education in this community is very fast increasing and I think there is no longer need for this community to keep up separate electorate now. They should join in the system of joint electorate with reservation of seats. But from the events that have happened it is apparent that this community will still insist on separate electorate. Even Mr. Gandhi was more or less compelled to give in on this question at the Round Table Conference, though on principle I think this was wrong. However, the matter will have to be left to the views of the community now. Even amongst this community there are two schools of thought. One is for " Separate electorate ", and the other is for " Joint electorate with reservation of seats ". Under any circumstances I do not think that this community would agree to the number of seats on the population basis only, and as such I am suggesting that the same percentage may be kept up in our future constitution and hence I am suggesting that there should be 10 seats in all for this community in this Province, in a Council of 100. Out of this 4 seats should be allotted to Berar and 6 for the Central Provinces.

Landholders.—I suggest that the special protection at present furnished under this head, may safely be withdrawn. A mere glance at the " Table " mentioned in Volume 2, page 77, of the Indian Statutory Commission Report, would prove the fact, that in our Province there are only 3 seats allotted under this head, while 14 of them have been elected to the Council, through the general constituencies. In other words, this class has succeeded in returning about five times as many seats as were specially reserved for them. The same story is repeated in the rest of India also. The only possible conclusion from these figures is that their high standing and reputation, and the influence which they exert, in their own localities, are such that it has not really been necessary to give them special protection. It may be argued on their behalf now, that in view of the widening of the franchise, as suggested above their chances of being returned in such large numbers through the general constituencies, are substantially reduced. This may happen, but under any circumstances an adequate number is bound to be returned to the Councils. This constituency of " Great Landholders " should be reserved for the " Upper Chamber ", where their presence will be needed in the future years to come.

Labour Representation.—Even with the widening of the basis of suffrage, I do think that there must be labour representation, in our future Provincial Councils. Indian labour is not for the most part organized for the purposes of collective protection, and in many places there are no proper arrangements made for the selection of their spokesman. The present representatives whom we have got in our Councils, are mostly nominated by the Government and that too in most cases, represented by persons who are not actually labourers in its correct sense. Labour is not well organized in India, as we see it in other European countries. There are not in adequate numbers registered trade unions in India, and where there are some in existence, their executive is not in many cases, so closely representative of the workmen, for whom they are supposed to speak, as would be the case in England. Under these circumstances the best suggestion would be, that the Governor in every Province, should appoint a representative committee, to draw up the rules for securing, under the existing circumstances, the best available labour representation of persons who really have the confidence of their fellows, and have shared their experiences. Under no circumstances, nomination should be resorted to. The present strength in our Provincial Legislative Council is one only, and that by nomination. I am suggesting in the future Provincial Council of ours, at least 6 seats in a Council of 100—out of which 2 seats for Berar, and 4 for the Central Provinces.

Memorandum by Mr. B. G. KANE. [*Continued.*

Commerce and Industry.—At present we have got two elected seats in our Provincial Legislative Council: one for Berar and one for the Central Provinces. There is one more seat at present allotted for the "Mining Association". So that we have three seats in all. I am in favour of combining all these three interests together, and thus form a separate constituency, a combined one for the whole of the Province in all allotting three seats, with a proviso, that at least one of them must be reserved for "Berar", thus the division would be one for Berar, and two for Central Provinces. The qualifications of a voter, to remain the same as at present.

University Representation.—I am in favour of University representation, but not on the lines that is done at present. It is the "University" which is to receive representation in the local Legislative Council, and as such one member should be elected from amongst the "Senate".

There should be one seat for the Members of the University also, for the whole of the Province, as at present. By this way there will be two seats in all, in the Council of 100, instead of only one as at present. The electorate to remain the same as we have got at present.

Europeans and Anglo-Indians.—I have already dealt with this under the heading of the "Indian Christians" above. Though the population of these two communities is very small in this Province, yet we have to see that these two communities are adequately represented in our future Councils, especially when the official *bloc* is going to be abolished. In the present Council, there is only one combined seat for both the communities. The Indian Statutory Commission, has suggested two seats, one for each community, and I am in favour of those recommendations.

General constituencies.—Having lowered the "Franchise" to the level of municipal, and local board qualifications, for the preparation of the electoral rolls for our future Provincial Legislative Councils, I am not making any distinctions between the "Urban" and the "Rural" seats. There are altogether 82 tehsils in the whole of the Central Provinces and Berar. Out of these there are 62 tehsils in the Central Provinces and 22 in Berar. A glance at the population of each tehsil in the Province would show that on an average tehsils in Berar are more populated than in the Central Provinces.

If we were to take into consideration the number of voters and the population, in each tehsil, and then adjust or group together these, and thus reduce the number of the tehsils for the purposes of election, in the Central Provinces from 62 tehsils to 38, there will be that number elected to the Council, from these constituencies. Similarly, the 22 tehsils in Berar, could be adjusted on similar lines, and made into 20 units, and there will be that number elected to the Council. So that in all 58 members will be elected from these general constituencies.

Thus in all a Provincial Legislative Council of 100 members will be formed. From the above it will be found that there will be 34 members elected from Berar, and 61 members elected from the Central Provinces. The two University seats and the two European and Anglo-Indian seats will be common to both the Central Provinces and Berar. Thus there will be 99 elected members, and I have left one seat at the disposal of the Governor, to nominate any one that he may think proper. I add a sort of table which will show at a glance, the respective number of seats both for Central Provinces and Berar separately, so also the common seats for both the Central Provinces and Berar.

Qualification of a Candidate for the Council.

The present qualifications shall remain, but a further qualification shall be added:—

A candidate for election shall be at least an "High School Entrance Certificate Holder," or one who has been certified by the District Magistrate, as "sufficiently conversant with the English Language".

Memorandum by Mr. B. G. KANE. [*Continued.*

The present "proviso" regarding the residential qualification should be deleted.

There are only two subjects from the questionnaire which I have not touched in the scheme of Provincial Legislature, which I have submitted herewith. One of them is the System of Indirect Election, that is a system known as "Mukhi scheme", and the other is about the retaining of the existing Military service qualification, and extending it so as to include service in the Auxiliary and Territorial Forces.

I shall dispense with the last subject, at once, and suggest that I am in entire agreement with this suggestion.

As regards the "Mukhi scheme". I entirely disagree with this system, for the reasons mentioned below:—

(*a*) According to the scheme which I have already suggested, the number of electors, will be quite reasonable in handling an election, even from the practical point of view.

(*b*) My personal experience at the Bar, in dealing with the village litigants, during the last 15 years, makes me bold to say that the disputes in the villages are not left to the Panchayats there; this kind of custom, which existed in the historical past, has now more or less disappeared. Had it been so readily understood, as is suggested, then the "Panchayat courts" which were established during the last non-co-operation movement would not have dwindled down so suddenly, and these would have affected the courts, established by law. But that has not been our experience.

(*c*) The question of increasing the electorate further than what has already been suggested will not raise for many years to come, and when that time will approach, the education amongst the people will also have been increased to that extent, that in all probability, the cry will be for educational qualification for the voters, so the question of an easy means of increasing the electorates on account of this kind of system does not arise.

(*d*) With the uniform qualification of voters as suggested by me, and lowering the franchise to the level of the municipal and local board franchise, there will be many facilities not only to prepare the rolls, but to be able to keep them up to date.

(*e*) There is no doubt that there are parties in every village and on account of this party feeling, there is bound to be a large number of disputes.

(*f*) The selection of primary voters would take a long time, and this will have to be done well in advance of the general election.

(*g*) Primary voters would not necessarily vote, in accordance with the views of their selectors.

(*h*) The caste difficulties would arise, as persons of different castes, would not like to be grouped together.

Table showing number of respective seats for Central Provinces and Berar.

Constituency.	Central Provinces.	Berar.
Indian Christians	2	1
Depressed Classes	6	4
Women	3	2
Mohamedans	6	4

Memorandum by Mr. B. G. KANE. [*Concluded.*

Constituency.	Central Provinces.	Berar.
Landholders	0	0
Labour	4	2
Commerce and Industry	2	1
General Constituencies	38	20
TOTAL	61	34

Common seats to both Central Provinces and Berar.

University representation	2
Europeans	1
Anglo-Indians	1
Governor's selection	1
TOTAL	5
"	
Central Provinces	61
Berar	34
Common	5
GRAND TOTAL	100

Memorandum submitted by the INDIAN CHRISTIAN ASSOCIATION, Nagpur, to the Central Provinces Franchise Committee.

We, the members of the Executive Committee of the Indian Christian Association, Nagpur, desire to draw your attention to some serious errors that have crept into your Franchise Scheme for the Central Provinces, concerning the representation of the Indian Christian Community.

We understand that you have explicitly accepted the principle of nomination in regard to our representation on the Provincial Legislature. We do not welcome our representation by nomination. We would quote the words of the Indian Christian Association Memorandum which was submitted to the Simon Commission on this point.

"There is an unanimous agreement on the part of the Indian Christians that this method of representation is extremely unsatisfactory and should be done away with. We therefore unanimously and strongly urge on behalf of the Indian Christian Community that nominations as far as the representatives of the community are concerned should be altogether abolished." We are in entire agreement with the above and would like once more to reiterate our disapproval of nominations in regard to our representation.

We are not unaware of the grounds on which the principle of nominations has been recommended for us by you. The ground that we are a scattered community is, on the face of it, untenable, as it can never be expected that the Indian Christians of these Provinces could decide to live in one town or district. This geographical difficulty if pushed to its logical conclusion, must mean that we can never hope to exercise the privilege of our vote. On the other hand we are not willing to accept that we are so scattered as not to be able to make the process of election feasible; as most of the important towns have organisations known as Indian Christian Associations these can be relied upon for the smooth working of the elections. We claim to have a cultural unity, which must

Memorandum by the Indian Christian Association. [*Concluded.*

be regarded as a valuable asset in civic matters. Our Church Government is absolutely representative and as a community, we have had long experience in running representative institutions, perhaps more than any other minor community in India. Our community have a long and honourable record in the field of Government Service whether Imperial, Provincial or subordinate while it is at the same time well represented in the learned professions. The Indian Statutory Commission mentions in Vol. I, page 31 of its report that the Indian Christians from the point of view both of numerical and of political importance, call for special consideration. It now claims to be the third largest religious body in India, numbering all told 4¼ million souls. The Indian Christians stand high in the table of literacy. More than one in five of them is returned as able to satisfy the test. The Franchise Committee in their Questionnaire, state, "that no important section of the community may lack the means of expressing its needs and opinions." We hold that such an ideal can be reached only when a community elects its own representatives.

Another important matter, to which we beg leave to draw your attention, is your total disregard of our position from the numerical standpoint. For us, who number 1,02,285, you recommend only one seat; for the Muslims, who number 7,06,108, you recommend 15 seats; and for the Europeans and Anglo-Indians who are numerically a very small community, you recommend one seat. In the Franchise Committee Questionnaire we read "it has been suggested that each community should be given a voting strength proportionate to its numbers". We are not against your allotting any number of seats to any community, but there is no valid reason why we should be chosen for any underestimate and not treated on a par with the other minor communities. It seems to us that if you follow the same principle, as you have done in regard to the Muslims and Europeans, in common fairness we should get four seats at least. Further light will be thrown on this demand of ours if we mention that our community has two sections, each important in itself, *i.e.*, the Protestants and the Roman Catholic.

Lastly, we would strongly press for one of the four seats to be reserved for a lady representative. This would be only in the fitness of things in view of the position of the community in the matter of educated women.

We have selected Mr. C. D. Madura, B.A., LL.B., Pleader, Nagpur, as our spokesman. He will if so desired give the necessary evidence on our behalf before the Franchise Committee meeting at Bombay.

Mr. B. G. KANE,
Mr. C. D. MADURA, } **Representing Indian Christians.**

1. *The Chairman:* I see that the Indian Christian population of the Central Provinces is 102,000, is that correct?—Yes, that is including the states, Europeans and Anglo-Indians.

2. You ask for 4 seats by election?—Yes.

3. Do I understand that both sections of the Indian Christians, Protestants and Roman Catholics, want representation by reservation of seats or separate electorates?—Reservation of seats in joint electorates.

4. Is the Christian population concentrated in any particular part or scattered widely?—It is found mostly in urban areas.

5. It has of course a high literacy qualification as is common with most Indian Christians?—Yes. 38 per cent.

6. *Mr. Bakhale:* Are you connected with trade unions in the Province?—No.

7. Did you have any experience of trade unions when you were in England?—No.

8. What is the basis of the statement which you make in your memorandum, 'where there are some (trade unions) in existence, their executive is not in many cases so closely representative of the workmen, for whom they are supposed to speak'?—Those are more or less the experiences in our province alone.

9. You have no personal experience? It is only hearsay?—Yes.

10. Are you aware that there is a Trade Union Act under which the trade unions have got to select their executives in a certain manner?—Yes.

11. Then you have also suggested that the Governor should appoint a representative committee to draw up the rules for securing labour representation on the Council by election. That is the suggestion you have made, I suppose?—Yes.

12. Suppose the committee has made a recommendation who will appoint him (the person recommended) to the Legislative Council?—The representative committee should be suggested by the Governor, which will draw up the rules of procedure as to which of the unions or institutions could vote for a labour candidate.

14. How will you constitute this representative committee? Who will be the members of this Committee?—Representatives of whatever material is available.

15. I understand that there are about 10 registered trade unions in your province?—I do not know.

16. Supposing that there are trade unions in your province, would you agree that instead of creating this representative committee, the trade unions should be asked to select men from among themselves? That would be a better system?—I should say it would be a good system.

17. *Mr. Tambe:* You say, 'In many ways the Indian Christian can speak on their (depressed classes') behalf and interpret their innermost feelings'. Is it your view that they go together or that the depressed clasess should elect Indian Christians as their representatives?—My proposal is this. As the majority of our community is converted to Christianity from the depressed classes, naturally we know their disabilities and can understand their difficulties, and we can speak for them to a certain extent. Though I do not belong to the depressed classes, yet I can say from experience the disabilities which the depressed classes suffer in this province.

18. You want that you should be allowed to stand as candidates on behalf of the depressed classes. Is that your suggestion?—That is my suggestion.

19. *Mr. Chintamani:* You suggested that in place of one university seat, that of Nagpur, there should be two representatives, one elected by the senate and the other elected by the graduates. Is the reason for your suggestion simply to get one more seat or have you any other reason?—My own idea was that after all we have got already one seat. The graduates' constituency of the province elects one. But really speaking, it is the university that requires representation. And therefore I suggested that one person from the senate may be elected to the Council.

20. But you are aware that everywhere the members of the university senate as well as the graduates are voters for the university seat. Suppose you have only one seat. Would you continue the present seat or would you make a change?—I would have it for the senate, if only one seat is to be given rather than having the graduates' constituency.

21. You do not want graduates along with the members of the senate?—No.

22. *Lord Dufferin:* You lay great stress on the fact that you are an advanced community, is it not? Then, is that not a reason why you should not have separate representation?—Educated people can stand in the general electorates.

23. If you are well educated and advanced, you are not a backward community, and need not have special representation?—Our number is too small. It would not influence the general electorate.

24. The numbers of Parsees are very small, but they are able to stand by themselves. Similarly, I would suggest to you that you can come in?—We won't be elected.

25. Supposing the ideal that no important section of the community may lack the means of expressing its needs would be reached when every community would elect its own representatives, do you want the Legislature to be divided into small communities?—We want joint electorates.

* * * * * * * *

26. *Mrs. Subbarayan:* I see this memorandum is presented on behalf of the Indian Christian Association. Have you got an organisation?—Yes.

27. How many women members have you got on the rolls?—Between 20 and 40.

28. *The Hon'ble Mary Pickford:* I see, Mr. Kane, in your memorandum you suggest that there should be a separate constituency for women. Does Mr. Madura agree to this?—*(Mr. Madura):* Yes, I agree.

29. *Sir Sunder Singh Majithia:* You want to take away the special protection to the landholders and you give as your reason that they are over-represented and that they can get representation in the ordinary way. Do you think with the increase of the enfranchisement they will be able to hold their representation?—Yes.

30. You are quite sure that with the feelings that are going on in the country between landholders and the tenants they will be able to secure representation?—In spite of that they will be able to come in.

31. According to your population how many seats would you get?—About 1. (*Vide* Table II, Page 176, Vol. III, Round Table Conference Report.)

32. And you want 3 seats,—two seats as weightage?—Yes.

* * * * * * * *

Memorandum submitted by Mr. G. M. THAWARE, Assistant General Secretary, All-India Depressed Classes Association, Nagpur.

I think adult suffrage ought to be the goal which should be ultimately attained.

I.—PROVINCIAL LEGISLATURE.

1. EXTENSION OF FRANCHISE.

(*a*) The existing franchise for the Provincial Legislature should be extended so as to include 25 per cent. of the population in the electoral roll, and the franchise qualifications should be determined so as to secure this result. A very large section of the adults of depressed classes, women and organized and unorganized labourers has been excluded from the voters' lists on account of the existing franchise qualification of property. If the existing property qualification is lowered, I think it will include not less than 10 per cent. and not more than 25 per cent. of the population in the electoral roll.

Memorandum by Mr. G. M. THAWARE. [*Continued.*

(*b*) I consider that such an electorate will be capable of casting an intelligent vote.

(*c*) Such an electorate will be administratively manageable.

(*d*) I also consider that such an electorate is desirable and will be practicable. There should be a separate department for the arrangements of preparation, maintenance and revision of the electoral rolls and for the counting of votes. I am not in favour of the course suggested in (*f*) and (*g*) of I. Residential qualification should be stopped.

2. FRANCHISE QUALIFICATIONS.

(*b*) I am in agreement with the suggestion contained in (*b*) and suggest that the franchise qualifications should be determined so as to secure this result, having regard to the suggestion that the existing franchise for the Provincial Legislature should be extended to 25 per cent. of the population in the electoral roll.

(*c*) In my opinion the possession of property of some kind is a suitable test of fitness for the franchise. But the word property should be understood as recommended by the Round Table Conference in its report, page 368, paragraph 6, and the property qualification should be lowered into half house rent, payment of taxes, wages, etc., than the existing property qualification.

(*d*) I am in favour of introducing a qualification based on education independently of property and suggest that a man or woman who can read and write should be enfranchised.

(*e*) I am in favour of retaining the existing military service qualification and extending it so as to include service in the Auxiliary and Territorial Forces.

3 & 7. WOMENS' SUFFRAGE AND THEIR REPRESENTATION.

If the election is granted to women, it will be practicable to a particular section of the community such as Brahmans as their women are educated. I consider that seven seats should be reserved for women in the new constitution, one for Brahman, one for Muhammadan, two for non-brahmans (one for Berar and one for Central Provinces), two for depressed classes (one for Berar and one for Central Provinces) and one for other minorities such as Anglo-Indians, Indian Christians, Parsis, etc. These seats should be filled up by nomination. The present method of nominating the depressed classes on the recommendation of the Indian officers should not be applied to the nomination of the women. It must be in the hands of the Governor on the recommendation of local European officers. The women must also have right to stand for general election.

4. REPRESENTATION OF THE DEPRESSED CLASSES.

I am in agreement with the minute by Rao Bahadur M. C. Raja, M.L.A., in the Indian Central Committee's report, page 365-388, and also the supplementary memorandum on the claims of the depressed classes for special representation submitted to the Indian Round Table Conference by Dr. B. R. Ambedkar and Rao Bahadur R. Srinivasan. The caste prejudice is in existence in the Central Provinces and Berar. Mr. Nandagaoli of Gonda in 1924; in 1930 Mr. Aujoredas from Bilaspur district and Mr. Khaparde from Umrer tahsil, these three members of the depressed classes stood for general election but nobody of them was elected. In number of villages of this Province, the depressed classes were socially boycotted and harassed by the so-called caste Hindus and the cases were also registered by the Government in the matter. The Saokars and the Malguzars hold great influence in the villages. In the joint electorate, the dummies will be elected on account of the influence of the Malguzars and Saokars.

I, therefore, do not consider that the depressed classes will be able, through such general extension of the franchise as I favour, to secure representatives of their own choice in the general electorate.

I make the following specific proposals to secure their representation in the legislatures:—

The representation of the depressed classes in the Provincial Legislature should be 20 per cent. of the total number of seats that is in proportion to their numerical strength. There should be a separate electorate for the depressed classes constituted on population basis.

The application of the group system of representation will not serve a good purpose and should not therefore be made applicable in the case of the depressed classes.

The franchise for the Provincial Legislature concerning the depressed classes should be extended to 25 per cent. of the population in the electoral roll.

The existing property qualifications for the franchise of the depressed classes should be reduced.

A man or woman of the depressed classes who can read and write should be enfranchised.

All Kotwars and working Kamdar Mahars should be enfranchised.

A man whose annual income is Rs. 75 and a woman whose annual income is Rs. 30 in the rural areas should be enfranchised.

A man whose annual income is Rs. 120 and a woman whose annual income is Rs. 75 in the urban areas should be enfranchised.

CONSTITUENCY FOR THE DEPRESSED CLASSES SEATS. THERE SHOULD BE ONE SEAT TO EACH DISTRICT OF THE PROVINCE.

II.—FEDERAL LEGISLATURE.

A candidate of the depressed classes for the Federal Legislatures ought to be an English-knowing man, independently of property qualifications.

The representatives of the depressed classes should elect their representatives for the Federal Legislatures by a single transferable vote.

The representation of the depressed classes in the upper as well as Lower Chamber should be one-fifth of the seats in each chamber and consequently the allocation of seats in the chambers should be conveniently determined.

In the Upper Chamber, there should be two seats (one for Berar and one for Central Provinces) for the depressed classes and three seats (two for Central Provinces and one for Berar) for these classes in the Lower Chamber.

THE DEPRESSED CLASSES COMMUNITIES.

I am in agreement with the list of the castes of the depressed classes, shown on page 21, Appendix A of the Memorandum on the education of the depressed classes, by Mr. E. G. Kilroe, I.E.S.

REPRESENTATION OF LABOUR.

There should be an adequate representation of labour. But in no case should fictitious nomination be made such as a Brahman lawyer aspiring to the post of a Sub-Judge to represent factory labour or a Brahman liberal politician representing the factory labour in the Assembly. Over represented communities should not be allowed to capture further seats through the back doors of nomination as in the case of a Brahman lawyer and a Brahman lady in the Central Provinces Council.

Memorandum by Mr. G. M. THAWARE. [*Concluded*

Six seats should be allotted to the labourers, one for the organized as in industrial areas (for Central Provinces only), two for unorganized agricultural labour (one for Berar and one for Central Provinces and two seats for unorganized bidi workers (for Central Provinces only) and one for mining labour. It is well known that the present labour leaders in the Central Provinces try their best to drag the labour movement into the present politics. I therefore consider that the candidates of labour for the various legislatures should be from the labourers themselves.

Mr. G. M. THAWARE, Representing the All-India Depressed Classes Association, Nagpur.

1. *The Chairman:* You represent the All-India Depressed Classes Association?—These are my personal views. We have submitted another memorandum* on bhalf the All-India Depressed Classes Association.

2. Do you accept the figure for the depressed classes given in the Government document as being 2,965,490?—It is about 30 lakhs in the last census. I accept all the Government figures.

3. Can you tell me the disabilities from which the depressed classes in the Central Provinces suffer?—In the Congress movement these depressed classes were not well treated by the caste Hindus because of this national movement and there were several cases where they were harassed in the villages and beaten and ill-treated.

4. In Madras and Bombay or in a great many parts of them the depressed classes live in separate cheries away from the main villages or in the outskirts. Is that the case in the Central Provinces?—In every village our bustees are on the corner side of the village; that is quite separate from the village.

5. Is that true both of Berar and the Central Provinces?—Yes, they do not mix with the other people.

6. Have they got their separate wells?—Yes, they are not allowed to use the public wells.

7. If they tried to go to a well in a main village what would happen?—There would be a dispute.

8. Are their children allowed access to the schools?—Now-a-days they are allowed. Some 5 or 10 years before there was some sort of restriction.

9. You say that in certain districts and areas, depressed class children have to sit on the verandah and are not allowed to enter the rooms. Is that common or uncommon?—Uncommon.

10. And of course they are not admitted to the temples?—No.

11. What is the main occupation of the depressed classes in the Central Provinces?—Some of them are tenants and the majority are of the labouring class.

12. They have no land of their own?—No.

13. Is their only source of living labour?—The majority.

14. You ask for representation on the population basis?—Yes.

15. You have seen the Government proposal for the reservation of seats for depressed classes?—I disagree with the recommendations made by our Government with regard to the seats.

16. Is it true to say that the depressed classes get representation on the municipal council where the enfranchisement is 16 per cent. of the population and there is no reservation of seats?—In Nagpur only are there two elected members; while in the rural areas our bustees are divided, some of them live in one corner, some in another and some in a third corner and that is why our people are not elected.

* Pages 527—529.

17. Are there any depressed class representatives on the Municipal Council now in Nagpur?—There are two members.

18. *Sir Zulfiqar Ali Khan:* Does your community pay any taxes to the State?—There are very few who pay taxes.

19. May I know if the aboriginees are included in the depressed classes?—No.

20. What is the state of education in the depressed classes?—They were very backward in education: but are now improving.

21. Have you any political organisation?—Yes, the All-India Depressed Classes Association.

22. Where are they located?—In Nagpur, formed in 1926.

23. What do they do for the community?—They are for the social and educational uplift of the community and to give them religious and political education.

24. Is it your aim to organise 3 millions of people properly and to give them education?—Yes, we have started hostels for educating the depressed classes.

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25. *Sir Sunder Singh Majithia:* You say "a very large section of the adults of the depressed classes, women and organised and unorganised labourers has been excluded from the voters list on account of the existing franchise qualification of property". Have you got any proof of that?—I say there are very few voters.

26. You mean to say they have not got the property qualification?—Yes.

27. Do you think you will be able to get a sufficient number of candidates to be elected. You say you are very backward in education?—Generally I say we are backward in education but there are many of our community who quite understand what the council is and will be able to follow the proceedings.

28. *Dr. Ambedkar:* You say you are expressing your own views. You have sent in these replies in answer to a questionnaire addressed to your association?—No, these are my views.

29. You gave these replies in your capacity as Assistant General Secretary?—Yes.

30. You say "in a number of villages of this province the depressed classes were socially boycotted and harassed by the so-called caste Hindus and the cases were also registered by the Government in the matters". Do these cases still exist?—Yes.

31. There is no change?—No.

32. Therefore the views that you expressed in the first memorandum were the views which you held on the 17th February 1932?—Yes.

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33. You have changed your opinion between that date and the 4th of March?—Yes.

34. You also maintain that the facts on which you formed your opinon on the 17th February 1932 still exist?—I have submitted another memorandum in March.

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35. You have changed?—Yes.

36. But the facts mentioned by you in the first memorandum and which were the basis of the opinion which you held on the 17th February 1932 still exist?—I have only changed one thing and that is about separate electorates.

37. I quite agree you have changed your opinion, but the basis on which you formed the opinion is not changed?—It is not altered.

38. Do you claim that the opinion that you have expressed in these two memoranda and about which you have very rightly said is your personal opinion is also the opinion of the depressed classes of the Central Provinces?—Yes.

39. And you maintain that the depressed classes of the Central Provinces were in agreement with you in what you stated on the 17th February 1932 and they were also in agreement with you in what you stated on the 4th March 1932?—Yes.

40. That such a revolutionary change has covered the depressed classes within a fortnight! You state that on the 17th February 1932, your view was for separate electorates and that was also the view as I understand from you now of the depressed classes. You had a different opinion on the 4th March 1932 and you say that the opinion you held on the 4th March 1932 is also the opinion of the depressed classes of the Central Provinces?—I clearly said that that is my personal view.

41. When I asked you whether that was your personal opinion or also of the depressed classes you said 'yes', *i.e.*, theirs also. Do you want this Committee seriously to believe that within the course of a fortnight the opinion of the depressed classes in the Central Provinces has undergone such a revolutionary change?—Yes.

42. You want the Committee seriously to believe that?—Yes.

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43. Can you tell me whether there was any meeting held after 17th February 1932 in any part of Central Provinces where your opinion was supported?—There was no such meeting. There was one Conference in Bhandara district to which I was invited but I could not attend.

44. *Mr. Chintamani:* Is it possible that your community might have changed its mind in favour of joint electorates and special seats and that you might have yourself advised them on further consideration to take that view and that it need not necessarily have been that your community underwent a revolutionary change?—Before I submitted this memorandum—the first one—there was already one party which wanted joint electorates.

45. You are aware that several members of the depressed classes besides yourself have from time to time changed their opinion from joint to separate and from separate to joint electorates and that your case is no exception?—Yes.

46. *Mr. Tambe:* You said that the memorandum which you submitted on the 17th February 1932 expressed your personal opinion?—Yes.

47. You have not called any meeting of the Association?—Because we have submitted another memorandum * on behalf of our Association when the meeting of the Working Committee of my Association was held at Delhi.

48. Who is the General Secretary of your Association?—Mr. Gavai.

49. President?—Rao Bahadur M. C. Rajah.

50. How many associations are affiliated to the All-India Association?—In every province we have got branches.

51. *Dr. Ambedkar:* Can we elicit any information about an organisation in whose name the witness is not speaking?—*The Chairman:* We can.

52. *Mr. Tambe:* How many Associations are there in Nagpur for the amelioration of the condition of the depressed classes?—About 5 or 6.

53. Are they all affiliated?—They are not.

54. To your Provincial Association?—They only work for education.

55. You favour nomination?—No.

56. But for women you would propose nomination?—Yes.

* Pages 527—529.

57. Why?—Because there is no central organisation.

58. If there be a central organisation then you would give them the right of election?—Yes.

59. You state that nomination should be in the hands of the Governor on the recommendation of the local European officers. Why is that?—I have got very good experience about the depressed classes nomination. If there is somebody friendly with the Home Member, on his recommendation, the Home Member makes nomination.

60. Are you aware that the nominations are made by the Governor and not by anybody else?—That I know.

61. And you still want to give the Governor the right of nomination?—Direct.

62. There won't be any Home Members under the new constitution. You need not be afraid of that. Would you give that right to the Cabinet?—Yes.

63. Do you think that the Cabinet would not nominate persons who would belong to their party?—There will be cases like this.

64. Are you still of the same opinion that there should be nomination?—For the women, yes.

65. And the Cabinet has to do it on the recommendation of the local European officers?—Yes.

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66. You would prefer nomination for the depressed classes?—Yes, 2 seats I have suggested.

67. Is that for women?—Yes.

68. The labouring population is generally made up of the depressed classes?—Yes.

69. If representation is given to labour that would be giving representation to the depressed classes?—There should be separate representation for the labourers.

70. If representation is given separately to labour that would, in fact, be giving representation to the depressed classes?—In only urban areas.

71. And there is no organised labour in rural areas?—No.

72. There are labour unions in Nagpur?—Yes.

73. You are not a member of any union?—No. I don't belong to any union but I take part in the labour movement.

74. Without being a member of the labour union?—Yes.

75. May I know what part do you take in the labour movement?—In the organisation of labour and I also join their meetings.

76. You assist them in forming labour unions?—Yes.

77. You would not have any objection to the labour unions being given the right to represent labour?—About the labourers I won't say anything.

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78. *Khan Bahadur Aziz-ul-Huque:* I want to be clear about the answer that you gave to Dr. Ambedkar about the change of opinion. What was the reason of your change of opinion? Was there any particular circumstance between the second and third week of February and the first week of March which made you change your opinion?—I have seen the recommendation of the local Government. The Government have recommended only 10 seats and that is not proportionate representation. The next thing is that Rao Bahaur Srinivasan asked for weightage only for Madras and Bombay Presidency and for every other province he asked for less representation than in proportion to the population. That is why we have changed.

79. You are changing your views because you feel that under the scheme recommended by the Provincial Committee you will not be given your proper share?—Yes.

80. *Dr. Ambedkar:* I think what he means is that if there are separate electorates he will have a lesser number of seats and if there were joint electorates he will have according to the population. Is that what you mean?—Yes.

81. *Diwan Bahadur Ramaswami Mudaliyar:* Therefore you are more anxious to get adequate representation than to have separate electorates?—Yes.

82. You feel that a larger number of your people in the Legislative Council howsoever they may be elected will be a better protection to your community than a smaller number elected through special electorates?—Yes.

83. Rao Bahadur M. C. Rajah is the President of the All-India Depressed Classes Association. May I take it that your Depressed Classes Association is the only *political* organisation of the depressed classes in your province?—Yes.

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84. Since when is Rao Bahadur M. C. Rajah, the President of this Association?—He was elected in 1926.

85. Since then he has continued?—Yes.

86. Is Rao Bahadur M. C. Rajah fairly well known to any politically minded member of the depressed class community?—Yes.

87. He is held in great esteem?—Yes.

88. He has been to your province on more than one occasion?—Three times.

89. And he has also organised your Association?—Yes.

90. He visited your province in connection with the Simon Commission?—Yes.

91. As a member of the Indian Central Committee?—Yes.

92. On that occasion addresses were presented to him and a vote of confidence was passed on his ability to represent the depressed classes?—Yes.

93. Are you in a position to say that Rao Bahadur M. C. Rajah enjoys the confidence of the politically minded section of the community?—Yes.

94. Am I right in thinking that the fact that Rao Bahadur M. C. Rajah and other influential leaders of your community have thought fit to advocate joint electorates to command representation proportionate to population was one of the factors which brought about your change of attitude between the 17th February and to-day?—Yes.

95. As Assistant Secretary of the Organisation and as one who has great respect for the Leader, I take it, you felt naturally that in these matters that advice may well be followed with advantage to yourself and with profit to your community?—Yes.

96. *Mr. Bakhale:* What is your profession?—I am the paid Secretary of the Depressed Classes Education Society.

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97. Supposing on account of the fact that you take keen interest in the organisation of industrial labour of your province, your Government had nominated you as a representative of labour on the Legislative Council do you think that the depressed classes would have been satisfied?—No.

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98. Why?—They should be given representation.

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99. Then how would you give representation to industrial labour in your province? Have you any idea about it?—You have recommended that there should be adequate representation of labour how will you give it?—There should be some sort of franchise under which they may be qualified.

100. What franchise qualification would you propose?—6 annas or 4 annas daily wages.

101. Men and women getting 6 annas or 8 annas wages should be put on the electoral roll?—For the women it must be less.

102. Have you got any experience as to how these mills or factories are worked?—Yes.

103. Are you aware that in your own province these jobbers and head jobbers have got a terrible watch on the ordinary workers?—Yes.

104. If that is so don't you think that if a separate electorate is created for the industrial workers, there is the risk of the jobbers and head jobbers being returned to the Council rather than the workers themselves?—Jobbers are also labourers.

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105. Supposing there are well-organised trade unions managed by the workers or according to the Trade Unions Act, do you think there is any objection in making these trade unions the units for group representation to the Council?—The representatives should be from amongst the labourers.

106. It is for the trade unions to decide. After all the trade unions consist very largely of the workers themselves and the outsiders like yourself and myself and Mr. Fulay won't be there to any large extent because it is prohibited by the Trade Unions Act. If the trade unions are made the units for group representation to the Legislative Council, it is for these unions to decide which man will go and which man will not?—Yes.

107. *Rai Bahadur K. S. Nayudu:* Do you want the depressed classes to be enfranchised in proportion to their numbers?—Yes.

108. Do you expect that they would be enfranchised under any kind of property qualification?—Yes.

109. Do they possess sufficient property?—I have suggested other qualifications also.

110. What do you think of the method of enfranchising them by voluntary registration on the payment of 4 annas. Do you agree with that proposal?—Yes.

111. As a suitable method of enfranchising a sufficient number?—Yes.

112. *Mr. Chaubal:* You know 4 persons are nominated to the Legislative Council in the Central Provinces to represent the depressed classes and Mr. Gavai is one of them?—Yes.

113. Assuming that the depressed classes are given representation and Mr. Gavai and others enter the elections and some dummies are set up against them by caste Hindus who will get a preference. What will be the natural tendency of the people?—In some places dummies will not be elected.

114. But generally preference will be given to better people?—Yes.

115. You have no fears that dummies will be always sent in?—No.

116. *Mr. Gavai:* You know there was a Depressed Class Congress in Nagpur?—Yes.

117. Do you also know if they have passed a resolution for joint electorates?—Yes.

118. So you know that at that time there was a difference of opinion on this point?—Yes.

119. *Mr. Fulay:* May I take it that in your statement of March you cancel the previous statement?—Yes.

120. With regard to labour representation in the Central Provinces Council do you know of any trade union which protested against the nomination by the Governor?—No.

121. You say in your statement " it is well-known that the present labour leaders in the Central Provinces try their best to drag the labour movement into the present politics. I therefore consider that the candidates of labour for the various legislatures should be from the labourers themselves ". The Hon. Member-in-charge is present, can you say that the labour unions of Central Provinces have joined the Congress?—Excepting the Nagpur Textile Union.

122. Do you know of the statement of the President of the Trade Union Congress that the Trade Union Congress shall have nothing to do with the Congress activities?—I know that. Before that they also asked the labourers to join this movement.

123. Do you know of the statement?—Yes.

124. When you say excepting one union do you mean that other unions are taking part in politics?—No.

125. *Mr. Gavai:* You have given reasons for joint electorates. Is it also one of the reasons that by asking for separate electorates you will be alienating the sympathies of the caste Hindus on whom you have to depend?—Yes.

Dr. Ambedkar: I want to know whether the questionnaire was sent to the witness in his individual capacity or as Secretary of the Association?

The Chairman: Mr. Lillie will tell us that.

Dr. Ambedkar I wish to have this on record.

Mrs. S. B. TAMBE, Member, Provincial Franchise Committee.

1. *The Chairman:* Are you here representing any association of women or in your personal capacity?—In my own personal capacity.

2. I understand that you are not satisfied with the recommendations of the Provincial Committee in regard to the enfranchisement of women?—I am not.

3. Have you formed any estimate of the number of women that would be brought on the roll under your proposals?—About 30,000.

4. Out of a total enfranchised population of 1,500,000?—Yes.

5. You think it is important that an adequate number of women should be placed on the roll in order that women may have an opportunity of representing their case in the Council and that the women may take interest in public affairs?—Yes.

6. And for this purpose you propose to add a substantial number by enfranchising the wives of those who are enfranchised to-day as a rough and ready method of bringing the women voters up to say 5 or 6 per cent.?—Yes.

7. You know that strong objections have been raised among the organized women of India to enfranchise women by reason of their husbands qualifications. You don't attach much importance to that objection. You want to bring an adequate number on the roll in the next 10 years?—It is a necessity. I am not asking that as a permanent arrangement. It would be for the time being, for 10 years or so. In the Central Provinces I don't see any other way. That is the only qualification which would bring in sufficient numbers of women on the electoral roll.

8. You are strongly in favour of women being represented in the legislature directly?—Yes.

9. I think you have heard various methods suggested for doing that?—Yes.

10. Would you tell us what in your opinion would be the best method by which 5 women could be elected to the legislature?—Recently I heard of one method and that is that women may stand in any constituency they like. By this method I am quite sure only very few women would come in. There is another method for securing women's representation. According to this method women, say 5 or 6, up to 10, or whatever number that may be fixed later on, who get the largest number of votes among women candidates should be declared elected. That will be a sort of reservation for women. This method would serve our purpose.

11. That would be by reserving 5 seats for women in any constituency, urban or rural in the Central Provinces?—Yes.

12. Any woman who gets the largest number of votes in competition with men should be declared elected?—Yes.

13. *The Hon'ble Mary Pickford:* If I understood you aright, you said that under the committee scheme the number of women voters would be only 30,000. Is that correct?—According to the latest census it may be 70,000. I am sorry for the mistake.

14. With regard to the literacy qualification do you favour every one going on to the electoral roll who can read and write or do you favour the suggestion put forward that there should be a special electoral test held?—I think I would change my mind. I think it will be better just to go by the ability to read and write.

15. Those people only will be keenly interested in elections?—Yes.

16. I understand that you have been a teacher yourself. Do you think that there will be any practical difficulties in getting reliable guarantees from women teachers or inspectresses that certain women could read and write?—I do not think there will be any difficulty.

17. After all, it must be a very reliable test if it is to be the basis of franchise? Do you think that could be arranged?—Yes.

18. Could you give me any idea of the numbers who would year after year be coming up by this literacy test? You see there are a certain number of girls in the schools who would become 21 years old in the succeeding years. Have you got the figures?—I have not worked it out.

19. Such figures were worked out for Madras and they showed that year by year there would be a substantial increase. I do not know whether it is possible to give such figures for this province?—I will try to get it.

20. It would be of great help if you could?—I can give, but I do not think it would be so substantial as it is in Madras.

21. *Mrs. Subbarayan:* Do you think it would be absolutely necessary to have separate polling booths for women at every polling station?—Not at every polling station at places where the Muhammadan population is large, separate booths will be necessary.

22. Are women polling officers required for these separate polling booths?—Not necessary.

23. Do you think it would be sufficient if there is just one woman assistant to assist the polling officer?—That should be quite sufficient.

24. You think the Central Provinces will be able to provide sufficient number of women for duty as assistant polling officers?—In urban constituencies there will be no difficulty whatsoever. About the rural constituencies alone there will be some difficulty.

25. School teachers, lady doctors and wives of officials will be available?—In the rural constituencies you will not get all these people.

26. Could ladies from urban areas be asked to go to rural areas for the purpose of helping at the elections?—In some parts it may be possible.

27. *Sir Ernest Bennett:* With regard to the scheme which you favour which is virtually that of the Madras Government, you realise that it involves this fact that if no woman gets one-eighth of the votes polled, or if there are no candidates at all, the whole thing would go to pieces and there would be no representation at all?—We can improve it, but that will have to be faced even with reservation of seats.

28. There will be no other way to get them on to the legislature?—No.

29. *Sir Muhammad Yakub:* Mrs. Tambe, how many women in the Central Provinces are elected members of the municipal boards and district boards?—We have no elected members. We have got one selected member on the Nagpur Municipal Committee.

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30. Are there elected women in the legislative council?—No.

31. Has ever any woman stood for election to the municipal board, or the district board or to the legislative council?—Yes. One woman tried to get on to the Legislative Council, but she did not succeed at the polls. There was one lady who tried for the municipal committee and she also failed.

32. When was this?—It was just three years back when we had the municipal elections.

33. What efforts, if any, were made by the women during the last 10 years for the enfranchisement of women?—I do not think we have done anything in that direction.

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34. Since when is it that women began to take part in politics?—They began some six years ago, or probably from the date the Reforms were introduced.

35. What efforts during the last six years, did women make for getting more political rights and for the enlargement of their franchise?—We have got our Association there and we do think about this question in our Association.

36. Did you present any memorial to the Government?—No, not to the Government.

37. *Mr. Butler:* It has been stated that this scheme would apply only to a certain strata of society. When responsible government is to be given, we are considering whether we should not find some means of enfranchising other classes of women also so that they may make their voices heard. That being the case, would it not be necessary to add some women of that class by means of the group system in the villages?—I am very doubtful about this group system working among the poor women especially in the rural areas. They are not at all educated in this respect and it would be very difficult to form groups of such women. If this scheme should succeed, a number of women should go to them and educate them in the matter of grouping.

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38. *Mr. Tambe:* The Assam Government and the Provincial Committee there have proposed that a woman should as of right be brought on the roll on payment of Re. 1. What is your opinion on that proposal?—I have no objection to that.

39. *Major Milner:* Your proposal is that the vote might be given to the wives of men who have property qualification for the franchise?—Yes.

40. You will then be really giving additional weightage to property owners?—Yes.

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41. You say that the main or one difficulty is that men cannot allow women to be enfranchised so long as they have to make room, etc. What do

you mean by that exactly?—That I stated with reference to the Provincial Committee. I found that the members of that committee did not agree with my proposal just because it prevented their lowering the franchise for men to get a fixed percentage of voters.

42. Your committee proceeded on the principle that they ought to fix the percentage which they thought desirable first and then proceed to obtain the necessary qualification to give that percentage?—Yes.

43. Don't you agree that that is not a very satisfactory method of ascertaining the franchise?—Yes, of course.

44. If your committee or the other committees proceeded on the assumption that they ought to get 10 per cent. of the population on the electoral roll somehow, they would be overlooking the principle laid down by the Prime Minister that all classes of the community should be represented?—We did think of that, but we had to begin somewhere. We made our number by finding out what would be administratively practicable and then we tried to fix up the different communities in it.

45. In fact neither your proposal nor that of your committee carries out the Prime Minister's injunction that there should be representatives of the general mass of the population and that no important section of the community may lack the means of expressing its opinion. You are agreed that your committee's proposal with regard to men and your own proposal with regard to women do not comply with that?—I must agree with you.

46. Let me put another suggestion to you. Men and women are approximately equal in point of number in the Central Provinces. Supposing you take all the women over 30, there will be 3 millions of them, and you constitute them into a class. Don't you think it would be more satisfactory to enfranchise all women over that age? Would it not more satisfactorily enfranchise all classes of the people than your proposal?—There is only one objection to that. I did think of that myself and the objection I thought that would be raised as pointed out by the Chairman of our committee was that it would enfranchise women of the lower strata of the population while leaving out the other women.

47. By lower strata you mean those that have no property?—Yes.

48. Probably the women in the lower strata are quite well educated or, at any rate, as well educated as the women in the upper strata?—Yes.

49. So, you will be doing them an injustice by your procedure?—I would like women of other classes coming in, but I could not find a way for it.

50. How many men and women would be enfranchised in the Central Provinces if we give the votes to all persons above 30? That would do away with the enquiry with regard to property or anything of that sort. The information is already presumably available in the Government offices?—I would not fix the age at 30.

51. Would you be agreeable to fixing the age at such a figure that it would enable you to enfranchise one-half of the adult population?—I will have to think about that.

52. To what extent will you go? Will you give votes to 25 per cent. of the adult population?—I think at present I would go up to 25 per cent.

53. Do you not think the proposition I put to you with regard to men and women would give a fairer result and would comply with the Prime Minister's letter better than the proposal of your Committee?—I will have to consider it.

54. Will you consider about it and tell us to-morrow?—I will try.

55. *Diwan Bahadur Ramaswami Mudaliyar:* Is it your experience that it is very difficult to ascertain the age of a villager in this country?—It is difficult.

56. A man of 70 gives his age as 30?—That is one of the difficulties.

57. So that without a system of baptism certificate, it would be quite impossible in this country to work a scheme of enfranchisement based upon age?—It would be difficult.

58. As regards the enfranchisement of women and the part that women have taken in your province, when did the Legislative Council pass its resolution stating that women are entitled to vote if they possess the required qualification?—About 4 years back.

59. Was it preceded by a certain amount of agitation by the Women's Association of this Province?—We did not have to do much agitation. We asked for it.

60. It was at your instance that some non-official members of the legislature moved the necessary resolution in the council?—I think so.

61. I understand that you attach more importance to a fair representation of women in the voters' list than to the actual representation of women in the Legislative Council?—Yes, I do.

62. You think that is the only way to influence the opinion of men candidates who will be ultimately returned to the legislature?—Yes.

63. It is from that point of view that you propose the enfranchisement of women with property qualifications?—Yes.

64. Not because it is an ideal system?—No.

65. Has anything short of adult franchise been so far suggested?—No.

66. Do you think that women will feel it derogatory to their sense of self-respect to go into the electoral roll on account of the qualification possessed by their husbands?—No.

67. So far as your knowledge goes, such criticism has not been addressed to any responsible women in public life in your province?—I did discuss this question with my Association and they did not think it objectionable.

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Mr. R. W. FULAY, M.L.C., Representing Labour.

1. *The Chairman:* Do you represent any organised body of workers, or do you come in your individual capacity?—I am representing the majority of unions in the Province. But my minute of dissent* as such as not placed before the unions other than the Motor Drivers' Association which accepted it in open conference about a week ago.

2. That is your memorandum*?—Yes.

3. You were appointed to sit on the Franchise Committee of the province as representing labour?—Yes.

4. The Provincial Committee is of opinion that their proposal for the representation of depressed classes would secure adequate representation for labour?—Yes.

5. I gather that you dissent from that view?—Yes.

6. You have pointed out that the daily number of operatives is 70,000?—Yes.

7. Are the mining operatives numbering 30,000, included in the 70,000?—They are additional.

8. In unregulated or small factories there are these 40,000 men?—Yes. They are not under the operation of the Factories Act.

9. For the province as a whole, you propose that 9 seats should be allotted to labour?—Yes.

* Volume III, page 285.

10. There should be a special constituency consisting of all factory operatives drawing more than Rs. 10?—Yes.

11. Any worker will have the right to stand as a candidate?—Yes.

12. In the event of a worker being qualified under the ordinary property qualification, he would have a vote in the general constituency. This would be over and above that as representing labour?—Yes.

13. Do you agree with the recommendation of the Provincial Committee that all representation of capital should be withdrawn from the Legislature? In the other provinces, mining, planting and other interests have been represented in the Legislature as special interests?—I do not know what the views of the factory and mining classes who are represented on the committee are. But the abolition of special representation is only a plea because they come through the general constituency.

14. In other provinces the principle has been followed that there are certain interests which have to be represented because the special spokesmen should be there. I do not express an opinion whether it is right or wrong. One of the arguments for giving labour special representation is that as capital is represented as such, labour as a function should similarly be represented. Do you agree?—Yes. The local committee have recommended that there should be four reserved seats for landholders. I do not subscribe to that view. I do not subscribe to the view of abolishing the factory seat.

15. You have no objection to capital being represented as such, if labour is represented?—No.

16. You put forward two alternative schemes for representing labour, one by a special constituency and the other by trade unions. I think you recommend the first scheme, that of the special constituency?—I would lay stress on the second scheme because if it is adopted, it will encourage the growth of trade unions.

17. If it is found impracticable, you say the second scheme should be adopted?—Personally I think it would be extremely impracticable. The factories are seasonal and it would be difficult to get the rolls correctly.

18. I have seen a copy of the report of the working of the Trade Unions Act for the province which shows that during the last year, that is, the year ending 31st March last, the total number of members of trade unions registered under the Trade Unions Act in the ordinary way was 3,746 men and 586 women. Is that correct?—Yes.

19. You say that the total factory population is 70,000 in the mills and 30,000 in the mines?—Yes.

20. You regard the 7 trade unions which are mentioned here with a total membership of 3,746 as sufficiently representative of the general labouring population to be in themselves the constituency for electing labour members for the special interests of labour in the Legislature?—In the first place that report has to be taken with the subsequent growth of trade unions. There are at least three new trade unions that have come into existence since March of last year. And besides, I would even state that that represents the best organised labour in the province, and therefore I would even concede representation on that score.

21. The unions which have complied with the regulations under the Trade Unions Act represent labour?—Yes.

22. Now, you recommend 9 seats out of 110?—Yes.

23. You think that those unions, expanded in the way you stated by adding another three unions, could be said to be a suitable basis for electing as many as 9 members?—I think so.

24. That is not your first proposal. You want the whole labour population to vote. But here you say trade unions whose membership is not more than 4,000 should represent labour?—The second proposal also provides for 4 seats

for registered trade unions in textile industries, 3 seats for registered unions in unregistered industries and 2 seats for all other kinds of labour.

25. Would you get your trade unions to represent the other kinds of labour?—As I said in the case of unorganised labour the Governor will have to draw up rules to secure the best representatives of this interest.

26. They cannot create trade unions?—Then it would come to this, that they may have a special constituency for unorganised labour. It would be extremely difficult.

27. *Mr. Bakhale:* Are there any unions in your province which are not registered under the Trade Unions Act?—Yes.

28. How many?—There are two unions of Government servants which cannot be registered under the Trade Unions Act. And then there is the postal union which is not registered as clerks union.

29. Is the Bengal Nagpur Railway Workers' Union registered?—It is not registered because it is an all-India union, and ours is a branch.

30. Is that branch union registered?—No.

31. You have a large section of railway labour coming from the Bengal Nagpur Railway working in the Central Provinces?—Yes, also the Great Indian Peninsula Railway workers.

32. Therefore having regard to the fact that you have got 10 to 12 registered unions and also having regard to the fact that you have got a few unregistered unions working fairly well and also a large number of Bengal Nagpur Railway labour population working in your province, have you considered that is a sufficient number inside the trade union organisation to give representation to labour in the Council?—Yes.

33. May I know whatever the local Franchise Committee's decision as regards the abolition of the labour seat altogether was arrived at after consulting the trade unions?—As a matter of fact, no trade union was consulted or supplied with questionnaire, and the decision was taken by the Franchise Committee by a show of hands. Even then, at least 4 members voted for the retention of labour.

34. When did you submit your own memorandum * to the Franchise Committee?—As soon as I saw, after the first meeting of the Committee, that there was no hope of getting my minute accepted.

35. It means that the Franchise Committee took its decision first and you submitted your memorandum afterwards?—Yes.

36. Was your memorandum considered afterwards by the Committee?—It may be in theory, but not in practice.

37. How do you mean?—I mean that each item of views put forward by me in the minute was not considered as such.

38. In your memorandum you state that although almost every daily labourer has got the right of voting in the municipal elections, hardly anyone has ever been returned to the municipalities?—Yes.

39. How do you account for it?—The reason is simple, that it is always the richer classes who by means of influence or money can manage to get in. Out of the two depressed class representatives who have been elected to the Nagpur municipality, one is a big money-lender, and it is his money-lending business that was primarily responsible for securing him the seat. The other gentleman has come by sheer accident.

40. Although the franchise qualifications are reduced to a very great extent, do you require some special means for securing labour representation?—Yes.

41. You have suggested three methods for securing representation of labour. One is the method of workmen's organisations making representations as regards the delegates to the Geneva Conference?—Yes.

* Page 285, Volume III.

42. Do you recognise that even in this method, there is that element of nomination after all?—I do recognise that.

43. Therefore won't you prefer the trade union method to this method?—Yes. I would give my first preference to the trade union method.

44. And you have suggested this particular method because you fear that the constituencies would be too unwieldy. If labour can get a larger number of seats in the Federal Legislature, this difficulty would disappear?—Quite.

45. The other method that you have suggested is a separate electorate?—Yes.

46. Now I have pointed out to one of the witnesses who appeared before us to-day that the head jobbers' and jobbers' interests are not identical with the interests of the rank and file. And therefore if you create separate electorates for the working classes, there is the danger of the jobbers or the head jobbers or even the employers' men being returned from that particular constituency?—Yes. It is perfectly correct.

47. And also you are aware that these jobbers and head jobbers have got the powers of dismissing the rank and file and also punishing them in other respects?—Quite so.

48. Would you therefore discard the separate electorate system in favour of the trade union system?—I mean, if it comes to a question of the abolition of labour representation, I would try to have it. But I would give the first preference to registered trade unions.

49. *Diwan Bahadur Ramaswami Mudaliyar:* I understood you to say that though the labour population was sufficiently enfranchised for the Nagpur municipality, actual labourers were not returned to the Nagpur municipal council?—Yes.

50. But don't you agree with me that men who are returned from predominantly labour wards are likely to have considerations of labour in their minds?—Previous experience shows otherwise. I have already referred to the scavengers' strike.

51. You do not think they will have their (labour) interests at heart?—No.

52. So you want actual labourers to be returned from those wards?—Mere capitalist may also set up a dummy labourer.

53. I am referring to your municipal ward elections. You have no objection to a capitalist provided he is a member of a trade union to be returned as a labour candidate?—He could not be a member of a trade union who professes himself to be a capitalist.

54. No one professes to be a capitalist. It is a stigma rather than a profession. Now, if you get adult franchise, may I take it that you will not ask for special representation for labour?—If it is absolutely adult franchise I will not.

55. If there is absolute, unadulterated adult franchise, you will not ask for special representation?—No.

56. You say there are 145,000 people who are labourers in your province. Out of this, how many are minors and how many are adults?—I cannot tell you offhand.

57. A certain proportion of them, I suggest to you, are bound to be under the age of 21, specially in some factories.—Yes.

58. Even supposing that this 145,000 represents adult population and about 45 per cent. of them are depressed classes—and they are going to get special representation—your labour representation will really affect about 80,000 labourers. And for these 80,000 labourers you suggest 9 seats out of a Council of 110?—For the simple reason that other interests are giving representation, and are over represented.

59. And you think that the interests of these 80,000 represent about one-twelfth of the total interests?—Yes.

60. What do you think the influence of these 80,000 will be in a constituency where adult franchise prevails. Do you think they will have any influence sufficient to return 9 or anywhere near 9 to the Council?—That is a problematical question. I cannot say offhand.

61. I suggest to you that this extravagant claim of 9 seats is utterly out of keeping with your own profession that you will be satisfied with adult franchise. I suggest that there is no basis for making such an extravagant claim and you are not doing justice to labour by advancing it?—It is a question of opinion.

62. It is a question of fact?—I do not think so.

* * * * * * * *

63. *Lord Dufferin:* I would like you first of all to tell me which union represents the unregistered industries.—There is only one union, the Union of the Central Provinces and Berar Bidi Workers.

64. It has got a membership of 149 out of 3,746. Do you think these people will have very much chance if the other unions are in the same constituency as they?—As soon as registered trade unions are given the right, you will see there will be increase in membership.

65. You say so but there is nothing to prove that?—Experience has shown that about five years ago there were very few trade unions, but as soon as the Government recognised their right to representation, as many as ten have come into existence.

66. You want to get trade unions for every industry in the province?—Quite so.

67. If there was a second chamber, would you require representation for labour in that still?—Certainly, if there is to be a second chamber. But I do not want a second chamber.

68. The claim which you make and which you complain the Provincial Committee have turned down is that you should have 14 seats for the depressed classes including labourers, and in addition to that you should have 9 seats elected by 3,000 and odd people and representation in the other House as well?—It does not come to that. It is this. The depressed classes are not all factory wage earners. But some of them are traders, tenants and even malguzars who will be ordinarily getting representation. And the unenfranchised classes will be coming in through this source.

69. *Dr. Ambedkar:* In the memorandum* you say that the depressed classes should have 14 seats?—I did not commit myself. I said they should be given adequate representation.

70. In the minute you say that they should be given 14 seats?—In the Minute of Dissent* I have stated that they should have more adequate representation.

71. *Lord Dufferin:* Could you tell me how many unions are there for mines?—There are no unions for mines.

72. *Mr. Butler:* In answering a direct question from me yesterday when we met your committee you said that you preferred the first of the two systems to the second, that you would rather have an electorate to elect labour representatives than the trade unions?—I beg your pardon. I mean to say elected in the sense that the representatives should be elected by the trade unions.

73. You definitely gave an answer that you preferred scheme No. 1 to scheme No. 2?—If that is so, I beg your pardon. What I meant was that it was the alternative scheme to which I should give the first preference.

* Page 285, Volume III.

74. You put in a memorandum* on the 8th February that this scheme of trade unions is an alternative scheme. You agree with me that the word "alternative" means that it should come instead of the other?—It does not necessarily follow.

75. If it is found impracticable, you said?—I think on a further consideration that it would be impracticable.

76. Yesterday you said clearly that you preferred the first scheme?—I thought you understood it as I meant. If there was a different understanding, I am very sorry. What I say is that it should be in the hands of trade unions.

77. In the Central Provinces between the 8th February and 14th March you still adhered to your memorandum, but on the 15th March you come to a different opinion. It makes us wonder what the value of the schemes which you put up would be. I am perfectly willing to see labour represented. But when I see one answer yesterday and one answer to-day, it makes it very difficult for me what to choose?—I do not think my offhand answers which are immediately corrected are going to determine the scheme of the Committee and your proposals are going to depend on the casual answers.

78. It was a chance answer? If you tell us to-day that you alter your mind from yesterday, I am willing to accept it. But I cannot accept the fact that it is a chance answer. I discussed with Mr. Bakhale. The answer was quite specific. I am not making an attack, but want to find out what your opinion is?—I am giving you the final opinion. that I stick to trade union representation, and I would, give it the first preference.

79. Would you withdraw your (previous) answer?—If it is was understood as not giving the first preference to trade unions, I withdraw.

80. Now, in regard to this question of registered trade unions, do you think it is the better way of representing labour in the Central Provinces?—Yes.

81. And you still adhere to the view that with the small development (of trade unions) you want 9 seats for the representation of labour?—Yes.

82. *The Hon'ble Mary Pickford:* On the same point, Mr. Fulay, it is a little confusing if you put your second choice first and then say, 'if the above is found impracticable'. I certainly took it as anybody would, that you preferred the first system and put the other as the alternative. But I take it from you that you prefer the second alternative. Out of the 70,000 workers employed in the mills can you tell me how many are women?—I think about 30 per cent.

83. Would they be adults, or would they include girls under 21?—They would include some under 21.

84. Are many women employed in or about the mines?—Not underground. They are employed on the surface.

85. How many?—I cannot give the percentage; since recently the employment of women in mines has been stopped.

86. Still there is a substantial number?—I believe 10 to 15 per cent.

87. Out of the 30 per cent. of 70,000, I see that there are only 500 in the unions, and they are all in one. Therefore trade union method would not give adequate representation to the woman worker?—You can provide for women's representation. Out of the 9 seats you can certainly provide 2 for women.

88. Out of the 7 registered unions there are women in only one?—They have to organise. They must take their chance. If they become members of trade unions, they will get representation.

89. Could you tell me what is the average wage of a male industrial worker, monthly wage?—Anything between Rs. 11 and Rs. 15 in Nagpur.

* Page 285, Volume III.

90. What is the average wage for women?—I think 8 to 12 annas.

91. So that if you fix the same wage as the basis for enfranchisement for both men and women it would work very unfairly for women?—Probably.

92. Are you prepared to correct that in your memorandum?—Yes.

93. *Lord Dufferin:* You have said that the reason why you changed your mind about the relative values of the two schemes was that the first scheme was not practicable. I notice that the first scheme has been operating for 6 years and yet you change your mind in 24 hours. Why after 6 years have you come to the conclusion that this scheme is not practicable?—I only said that Mr. Giri submitted a memorandum urging separate representation. That scheme which is in printed form has not been submitted along with my memorandum.

94. What modifications have you made?—The scheme is there and speaks for itself. It is a separate scheme altogether. Mr. Giri wanted 6 seats in a house of 72. What I say is that the factory hands change; one man goes and another comes and this is even the case with regard to villages; they go from village to village and it would be difficult to prepare an electoral roll.

95. Is Mr. Giri's scheme impracticable?—I don't say so.

96. Perhaps you can send along Mr. Giri's scheme and we can compare the two?—Yes, I will send it.

97. *Mr. Gordon:* I think you said that the decision to exclude all labour representation was taken in the first meeting of the committee and that that matter had not received proper consideration?—Those are my feelings.

98. Is it not a fact that the Chairman said that all the qualifications would be taken up tentatively and would be considered at the next meeting and that they would wait for your minute of dissent before coming to a decision on the point?—Yes.

99. You say that no Trades Union were invited to reply to the Local Committee's questionnaire. Did you bring the questionnaire to the notice of any Trades Union with which you are connected?—Yes, to one or two, and not others.

100. Would it not have been possible, if the Trade Unions were really in earnest, for them to have sent considered replies?—I don't know what considerations weighed with them but they were not specifically called upon to do so.

101. They had the opportunity?—Only some of them. I cannot say I represent all.

102. Was not an advertisement published in the Papers inviting all?—Yes.

103. I think you said there were some unregistered Unions and you mentioned the Clerks Union. Will you not agree that the Clerks Union is enfranchised in the Municipal town in which it works?—Possibly.

104. *Mr. Shareef:* Is it not a fact that if adult franchise is introduced that labour will wield some influence?—The chances would be minimised. Of course if adult franchise is brought into force you could not cut out the mass of the people.

105. *Sir Arthur Nelson:* Will you tell the members of the Committee the membership of the Trades Unions you represent?—The Motor Drivers Association 800; the Press Employees Association 259; the Workshop Workers Union 240; Scavengers Union 850; the Postal and R. M. S. Union 3,000; the Lower Subordinate Government Union 500; the C. P. and Berar Textile Workers Union 1,000.

106. *The Hon'ble Mary Pickford:* How many of these are registered?—Four of them.

107. *Sir Arthur Nelson:* Would it have been possible for you to have obtained answers to the questionnaire from those 4 registered Unions you represent?—Yes.

108. Who would have written the answers?—The Secretaries of the Unions.

109. Is it not a fact that the Committee was prejudiced against the claims for Labour by the extravagant demands you made for representation?—I doubt very much if that was the consideration before the Committee. The Chairman would have personally wished for the retention of labour seats but he was in the hands of the big landlords.

110. Will you tell the Committee how many big landlords there are?—If I don't name them, there are 5.

Sir Arthur Nelson: There are only 3 and those are not big landlords.

Assam.

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ASSAM.

Note by the Government of Assam on Election Procedure in Assam.

The territorial divisions and the machinery used for electoral purposes in Assam being largely the same as for administrative purposes, it might conduce to a clear understanding of the former if a short account were given of the latter.

Assam contains 12 districts, 4 of them being Hill districts and the others plains. Of the 8 plains districts, 6 constitute the Brahmaputra or Assam Valley and the other 2 the Surma Valley. The 12 districts are in 2 divisions corresponding to the two Valleys, each division being under a Commissioner. Under the Commissioner, in charge of each district, is a Deputy Commissioner. Most of the districts comprise two or more sub-divisions, each sub-division being in the charge of a Sub-divisional Officer. At each district and at most sub-divisional headquarters, there is a staff of Extra Assistant Commissioners to assist the Deputy Commissioner or the Sub-divisional Officer as the case may be. Each sub-division contains a number of thanas or police circles (on an average 5 or 6), each thana comprising a large number of villages (on an average about 250). In three districts, namely, Sylhet, Cachar and Goalpara, there is an intermediate administrative unit between the thana and the village: this is the chaukidari circle, consisting of a group of villages. In the other districts there is no such unit; there is, instead, the revenue unit known as the mauza, consisting, on an average, of 30 or 40 villages, but sometimes falling partly in one thana and partly in another.

All the Hill districts (except the small area within the municipality and cantonment of Shillong) and certain portions of some of the plains districts, constitute the "backward tracts", which are outside the electoral system, except in so far as the special constituencies are concerned. For ordinary purposes, they are presented in the Assam Council by a nominated member. The rest of the province is divided into 36 constituencies classified thus:—

20, Non-Muhammadan Rural.
12 Muhammadan Rural.
1 General Urban.
3 Special—
2 Planting.
1 Commerce and Industry.

Generally speaking, the constituencies consist of whole sub-divisions or districts. The exceptions to this rule are—

(1) *Habiganj*—there being two non-Muhammadan rural constituencies in this sub-division, *viz.*, Habiganj (North) and Habiganj (South).

(2) *Sylhet Sadar*—there being two Muhammadan rural constituencies in this sub-division, *viz.*, Sylhet Sadar North and Sylhet Sadar South.

(3) *Goalpara*—this sub-division together with the South Salmara thana of the Dhubri sub-division forming one single Muhammadan constituency.

(4) *Shillong* (*Municipality and cantonment*)—which is a constituency by itself.

The average size of a district is about 4,000 square miles; of a sub-division,

Note by the Government of Assam on election procedure in Assam. [*Continued.*

about 1,500 square miles; of a thana, about 300 square miles; of a mauza, about 60 square miles; of a chaukidari circle, about 10-12 square miles; and of a village about 1·2 square miles. The average size of a non-Muhammadan rural constituency is about 1,500 square miles and of a Muhammadan rural constituency, about 2,500 square miles. The average electorate in a non-Muhammadan rural constituency is about 9,500 and in a Muhammadan rural constituency, about 8.000. It should be noted that these figures are only rough averages; there are large variations from the normal at either end of the scale.

Early in every third year, usually in January, in anticipation of a general election in the following autumn, a notification is issued directing the preparation of a new electoral roll. This is followed by notifications appointing registering and revising authorities for the purpose. Generally speaking, the registering authority is the Senior Extra Assistant Commissioner at district or sub-divisional headquarters, and the revising authority for all the constituencies in any district is the Deputy Commissioner of the district. The function of the registering authority is to prepare and publish the preliminary electoral roll, and the function of the revising authority is to hear and decide all claims and objections that may be made after the publication of the preliminary roll, and to publish the final roll. The preliminary roll is usually published before the 1st of July, and the final roll before the 1st of October; and the general election usually takes place in November, the weather conditions being then the most favourable for the purpose. It may be mentioned that the final electoral roll prepared for any general election continues in force for three years; during this period it is kept substantially up-to-date by a process of annual revision, so that bye-elections may not have to be held on an out-of-date roll. It may sometimes happen—and this actually happened in Assam in 1929—that a general election is precipitated by unforeseen circumstances before the new electoral roll is ready; in that case, the election proceeds on the old roll as revised from year to year.

A general election commences with a notification by the Governor calling upon the constituencies of the Council to elect members before a specified date. The date mentioned in this notification is the latest date by which the election in each constituency is to be completed. One single date is, in practice, fixed for this purpose for all constituencies. This notification is followed up by three other notifications, prescribing dates for various stages of the election, *viz.*, a date for the nomincatio of candidates, a date for the scrutiny of nominations and a date for the poll. The first two dates are, in practice, the same for all the constituencies, but the polling dates vary from one constituency to another. Generally speaking, the polling in the province is spread over a period of about a fortnight, simultaneous polling being rendered impracticable by the size of the constituencies and the paucity of officers to conduct the elections.

The pivot of the electoral machinery is the Returning Officer. He receives nominations and admits or rejects them after scrutiny; selects polling stations; appoints presiding officers and polling officers; provides voting materials and other equipment; counts the votes after the poll; and reports the name of the candidate elected. A list of the Returning Officers will be found in Schedule I to the Assam Electoral Regulations (*vide* page 189 of the Assam Legislative Council Manual), and a detailed account of their duties will be found in the body of the Regulations. Generally speaking, the Returning Officer, in the case of ordinary constituencies, is the Deputy Commisssioner if the district headquarters is within the constituency, and the Sub-divisional Officer, otherwise; in the case of special constituencies, the Divisional Commissioners are the Returning Officers.

Note by the Government of Assam on election procedure in Assam. [*Concluded.*

Polling is arranged according to chaukidari circles in the districts where the chaukidari system is in force, and according to mauzas elsewhere. That is to say, a polling station is allotted to a convenient group of mauzas or chaukidari circles as the case may be. The areas allotted to the different polling stations in this way vary widely from 3 to 200 square miles or over. The number of voters allotted to each polling station also varies considerably in practice from station to station. For instance, in Dibrugarh, at the general election of 1929, in the Dibrugarh non-Muhammadan constituency, the number varied from 182 to 999; and in the Dhubri Muhammadan constituency, the number was in some cases below 10. In selecting and allotting polling stations, the Returning Officer has to consider not only the area or the number of voters served by each, but also their accessibility and the number of presiding officers at his disposal. A small group of voters in an outlying area may have a polling station all to themselves, if there is a presiding officer available and if the next station is considered to be too far away. Or again, it may so happen (as in Dhubri) that the non-Muhammadan constituency has a very much larger electorate than the Muhammadan constituency, although territorially the two may be nearly identical; in such cases, the Returning Officer has to select the polling centres with reference to the former, and as in practice the same centres are used for the latter also, the number of votes allotted to each centre in the Muhammadan constituency will work out very much smaller. These variations apart, the average area served by a polling station may be taken to be about 90 or 100 square miles and the number of voters allotted to it (though not actually voting) about 500 or 600. It may, however, be stated that not more than 1,000 voters are allotted to and not more than 500 voters have actually voted at any single polling centre.

A copy of the general instructions issued for the guidance of Returning and presiding officers is annexed to this note. They will be found to indicate with sufficient fulness the duties of these officers and the procedure at an actual election.

A word about the special constituencies in the province, of which, as already mentioned, there are 3. In the 2 Planting constituencies there has never yet been any contested election. In the Commerce and Industry constituency there was a contest at the elections of 1926 and 1929; the electorate was 38 in 1926 and 79 in 1929. The voting in the special constituencies is by post, each elector being required to send his ballot paper by registered post to the Returning Officer.

Disputes about the identity of the voter are dealt with in Assam Electoral Regulation 31. The voter in such cases may be required to enter in the list of challenged votes his name and address, or if he is unable to write, to affix his thumb impression thereto and also to produce evidence of identity. No particular form of identification paper is in use in this province.

On the completion of a general election, a full list of the members elected is published in the Gazette.

Memorandum submitted by Mr. K. CANTLIE, I.C.S., Deputy Commissioner, Khasi and Jaintia Hills.

I have confined myself to a report upon the urban constituency of Shillong, but as a member of the Franchise Committee I am considering a reply to the many other points of the questionnaire.

Shillong Municipal area	21,300
Shillong Cantonment	5,236

Memorandum by Mr. K. CANTLIE. [*Concluded.*

The number of voters on the Provincial Council electoral roll is 1,953. This number is 7·1 per cent. of the total and about 14 per cent. of the population over 20 years of age. This total would be increased probably by about 50 only owing to the recent imposition of income-tax on incomes from Rs. 1,000 to Rs. 2,000. Anyhow the result may be said to be about 14 per cent. of the adult population. The percentage of voters is greatly decreased by the small proportion of voters in cantonments. There are not more than 377 voters (the exact number is unknown) in cantonments. The reason is that (1) most of the people are not British subjects having been born in Nepal, and (2) the soldiers in service are not eligible for votes under rules but even if eligible they would mostly be debarred as being subjects of Nepal. They number 3,000.

2. So omitting cantonments where the low percentage is due to special reasons, the percentage of voters in the municipal area would be under the present rules 7·5 per cent. of the population and 15 per cent. of the population over 20 years. There are 675 female voters, due to the matriarchal system of the Khasis under which property is held in the names of females, thus giving them votes as payers of municipal tax.

3. The assessment of the municipality has recently been revised and may give some more voters but not very many. It is impossible to give exact numbers as many rate-payers are absentees not qualified under the residential rule of one year.

(*a*) I have said that the reduction of income-tax basis of payment to Rs. 1,000 will give only about 50 more voters, (*b*) no lowering of the cantonment rate of municipal tax will give many more voters as there are only 107 tax-payers in all.

(*c*) No lowering of the rate of municipal tax will give many more voters as a lowering to Rs. 2-8-0 will give only 13 votes, to Rs. 2 only 4 more votes, to below this there are only 8 tax-payers.

(*d*) Increase must be effected, if desired by (1) adoption of the municipal rule that persons occupying a holding and paying not less than Rs. 50 rent annually will have votes. This will give an increase of 758 votes, (2) adoption of the municipal rule giving votes to graduates, intermediate examination passed persons, barristers, pleaders and so on. The increase obtainable by this rule is unknown. There may be a hundred or more but this is a pure guess.

4. The percentage of votes by adoption of the above rules might be 11 per cent. of the total and 22 per cent. of the adult population.

5. Polling arrangements for this increase would present no difficulty.

6. The only method of obtaining a further increase is to lower the rate of 50 rupees annual rent to a smaller figure. The increase obtained by lowering to Rs. 30 cannot be estimated. Polling arrangements would be quite possible owing to the many Government servants.

7. There are 675 female voters, as owing to the matriarchal system of the Khasis, the holdings are in the names of the female members of the family. No special devices for female voting is therefore necessary.

8. A peculiarity of the Shillong constituency is that Khasis in the parts of the town lying within the territory of the Siem of Mylliem, have the vote although not British subjects.

ASSAM.

Dated Calcutta, 23rd February, 1932.

PRESENT:

ALL MEMBERS OF THE INDIAN FRANCHISE COMMITTEE AND OF THE ASSAM PROVINCIAL FRANCHISE COMMITTEE.

Mr. J. A. DAWSON, C.I.E., I.C.S., Special Officer, Reforms, Government of Assam.

Mr. K. CANTLIE, I.C.S., Deputy Commissioner, Khasi and Jaintia Hills.

Mr. C. S. MULLAN, I.C.S., Superintendent of Census, Assam.

1. *The Chairman:* Now, Mr. Dawson, I understand from your memorandum, that in the ordinary way you prepare the register in January of the year in which the elections are to take place; is that so?—Yes. We do it generally once in every three years.

2. And you expect to complete the roll in July, and the final roll is published in October?—Yes, Sir.

3. Now, coming to the polling station, what is the maximum number of votes which you can poll in a day? I hear that you have for each polling station one presiding officer and two or three clerks. Is that so?—We cannot poll more than 600, that is the maximum. It may be between 500 and 600. That would be possible with one presiding officer and three clerks.

4. You have given a memorandum showing the actual method by which the voting is conducted. Everything in the memorandum is clear, except what happens in the case of the illiterate voter. Will you please tell me how the illiterate voter records his vote?—I would ask Mr. Mullan to explain it as he has actually presided in one case. (*Mr. Mullan*): Yes, Sir. I was Deputy Commissioner of Sibsagar about two years ago when there was an election. What I now say is purely based upon what I remember of what took place at the time. In Jorhat in the Sadar sub-division there was a *gol-mal* or a row and deputations of both candidates came and said that things were not satisfactory and asked me to take charge of the polling station. The officer presiding was an elderly gentleman and he was not able to get on with the work quickly. They said that there were hundreds of voters and there was no possibility of recording the votes in time. I went there myself and found this to be true. I told the elderly gentleman that he had worked hard and he might take a rest. I took charge myself and I was at this station as polling officer for about 4 hours. As far as I remember, the illiterate voters come in and are first examined by the clerks. Each voter brings up to the presiding officer a slip with the serial number in the roll written thereon. The presiding officer sees the slip which, let us say, contains the number 247. He looks up the roll for his name under 247 and when he finds it out, he asks him 'Are you illiterate?'. Generally he says 'I am illiterate'. In actual practice, in the case of an illiterate voter, I used to ask him 'For whom are you going to vote?'. He gave the name of one candidate. I myself put the cross and gave him the paper for being put into the box.

5. You recorded the vote yourself?—Yes.

23rd Feb. 1932.] Messrs. J. A. DAWSON, K. CANTLIE & C. S. MULLAN. [*Continued.*

6. And you saw him putting the same ballot paper in the box ?—He went round towards the back somewhere and put the paper in the box. We had a clerk there to see that he went to the right box.

7. Turning to the actual ballot paper, will you please say what amount of work is done either by the clerk or the presiding officer in the way of writing before the voter actually records his vote ? Does he have to write the name of the polling station and the constituency on the ballot paper or the counterfoil ?—The whole thing is printed. We had differently coloured ballot papers for the different constituencies. For example, on that one day, we polled, if I remember rightly, for the Legislative Assembly and also for the local Council. We had different colours for those ballot papers. The colours of the boxes were also different. There was a yellow box for the Legislative Assembly and a white box for the Provincial Council.

8. In Annexure VII* you have given the form of front of a ballot paper. What are the items that are printed in that paper ?—The constituency, as far as I remember, is printed. The number of the polling station is not printed. I think it is filled in beforehand. The number of the elector on the electoral roll is not printed. It is filled in.

9. The clerk has to write on each ballot paper on those three lines ?—As far as I remember, we print as much as we can. We leave it to the polling officer to fill in the other things.

10. The method which is adopted in Bihar and Orissa is to eliminate both writing by the polling officers on the one hand and any form of writing by the illiterate voter on the other, whereby the ballot paper, after identification, is handed to the voter and stamped in the ordinary way. There are different coloured boxes for the different candidates, so that all that the voter has to do is to go to the polling room and drop the ballot paper into the box which is marked with the colour as well as the name of the candidate for whom he wants to vote. That is to say, there is no question of his having got to make a mark at all. Do you think it is possible to adopt that scheme ?—Well, Sir, we have not tried it, and so I am not able to express any opinion on the matter. It will be interesting to know how it worked in Bihar and Orissa. But I can assure you, Sir, of one thing, and that is, that the present system in Assam is in my opinion quite satisfactory.

11. The difference is this. In Assam, as far as my memory goes, there is one presiding officer and two clerks and the maximum votes that can be polled is stated to be 600. Don't you think more votes can be polled under the other method ?—I do not think we can offer any opinion on that. We know that our system is satisfactory.

12. I just want to suggest to you to consider whether it is not possible under that system to have certain advantages in the way of simplification both for the polling officer and for the voter.—I am certain that the Local Government will consider that.

13. *Major Milner :* Mr. Mullan, you are now polling for two elections and getting up to a maximum of 600 votes a day. If you only poll for one election at a time, you could poll 2,000 as in Bihar and Orissa. Is that not so ?—I do not think so. At present the number of voters on the electoral roll for the Legislative Assembly are very few, and if that number is increased, it would be difficult to do the work as before.

14. What percentage would vote, roughly, for the Legislative Assembly as distinct from the Provincial Council ?—At present I think there are about 280,000 who vote in Assam for the Provincial Council, and about 37,000 for the Assembly.

15. It is only one in seven or eight I take it that now come to the poll and it would not make any difference if the number is increased ?—It would make a difference.

* Not printed.

23rd Feb. 1932.] Messrs. J. A. DAWSON, K. CANTLIE & C. S. MULLAN. [*Continued.*

16. For one presiding officer, how many clerks on the average will be employed ?—It depends on the places. If the polling is heavy, the number of clerks will be more.

17. Have you any rough and ready estimate as to the work of these clerks ? Do you put two clerks for every 750 voters on the register ?—I can speak only from memory of what happened two or three years ago. We generally put a larger clerical staff in towns where we expect a larger proportion of voters.

18. What is the maximum staff for a polling station ?—(*Mr. Dawson*) : About three clerks and one presiding officer. The clerks work singly.

19. It has been stated that when the voter comes up he brings a slip. Is that slip from the candidates' agents ?—(*Mr. Mullan*) : As far as I remember, he gets it from the clerk. This is to help the presiding officer to locate his name on the roll.

20. So it is the presiding officer who issues the ballot paper ?—Yes. The paper is on his table.

21. According to the plan given here would it not be convenient to the voter to go to the presiding officer and then go to the compartment to mark his paper ? Is not the present system difficult to work ?—It may look in theory difficult. We do not in practice follow the very elaborate system laid down here. But in practice it works quite satisfactorily.

22. Do you agree that if the clerks had authority to issue the ballot papers and the presiding officer only supervises the work and attends to illiterate voters, it would simplify the matter and expedite the whole proceedings ?—I am not quite certain of that. We are not inclined to hand over ballot papers to the clerks. Each ballot paper has to be accounted for afterwards.

23. How competent are your clerks ?—Our clerks begin as probationers in the district offices on Rs. 35 a month and may rise up to head clerks on Rs. 120.

24. That is the type of men you have as polling clerks. If you let them do this, do you think they are not competent for that ?—I would not like to answer that straight off. Personally, my own experience of these elections in India is that one cannot be too careful. One has to remember that an election petition is likely to be put in on the slightest irregularity, and we must be particular that everything is entirely in order.

25. Do you think the clerks are quite competent apart from the question of objections ?—Quite competent.

26. Could they work in pairs, one man looking up the voters and the other man stamping the ballot paper and filling in the counter foil when the voter is being identified ?—I do not see any difficulty at present. The stamp is with the presiding officer, on his table.

27. You term them polling tables here in your plan. Are they in fact compartments ?—Generally they are tables. In the polling stations in towns—which are generally schools where accommodation is ample—we get tables. But in villages we use the primary schools. In Assam the local primary school is really a thatched hut with gaping walls through which any person can see.

28. There is apparently no difficulty in seeing how one voter voted, against which name he crossed ?—There is nothing to prevent that. But I remember many voters were particularly careful and looked round in a suspicious fashion and covered up their mark on the paper.

29. I am not complaining in any way because of these things happening. In your plan you speak of compartments. You seem to be working on English lines and so I want to know what are these compartments. Is it a wooden compartment to which every one can go ?—Our arrangements are much simpler ; we do not spend much money on these things.

23rd Feb. 1932.] Messrs. J. A. Dawson, K. Cantlie & C. S. Mullan. [*Continued.*

30. In the matter of illiterate voters, when you presided, you did the common sense thing, and marked them yourselves. But according to the evidence we heard before, it seems to be the practice to merely advise the elector how to vote and point out to him where to put the cross?—The rule on the subject which I always thought a futile one, is that the presiding officer should give such assistance as may be required to any elector who is by reason of infirmity or illiteracy unable to vote in the manner prescribed. In my opinion the only assistance he can give is to put the mark himself.

31. In subsequent regulations something can be done to remedy it. Now, would it be possible to work out the details regarding the officials who would be available in any particular area or district?—Certainly, Mr. Dawson who has got the actual file about the 1929 elections will be able to tell you those details exactly.

32. Possibly it would be better to get a memorandum prepared on the question as to what officials could be obtained for the election, what is the expenditure incurred, the number of those officials and so on, and whether the number of the officials can be increased in the event of the electorate being widened. Could it be done?—Yes, it could be done.

33. Can you tell us offhand what increased number you can poll administratively if you bring in all possible officials, if you have it in not less than two days?—I think it is possible to poll 15 per cent. by enlisting all the officials available including teachers in Government High Schools and so on, spreading it over two days. You can divide up the constituencies into so many *mauzas* or chaukidari circles. But it would be advisable to have, in addition to a presiding officer, two assistant presiding officers. The business of the presiding officer would be to supervise, but the assistant presiding officers would have full power to issue the ballot papers and so on.

34. 1,300,000 people will have to vote. Can this be done?—It can be done. Now 3·7 per cent. are voting. Hereafter it will be about 4 times that. I think it might be possible.

35. Would that involve your having non-official staff?—Perhaps in some districts, yes. But in the districts where I was working, we could do it with the officials.

36. Could you advise us in your memorandum* whether there are non-officials in your judgment that can be employed on this work?—I can do so.

37. *Mr. Bakhale:* I understood you to say that you cannot enfranchise more than 15 per cent. of the population because of the administrative difficulties. Now I find that your difficulties are due more to the fact that as the presiding officer is in charge of the ballot papers, it would naturally take more time. If it is found that the ballot papers could be issued to the voters by the clerks, do you think you would be able to enfranchise more people than 15 per cent.?—I should say no. It means employing a tremendous staff. We would have to employ non-official agency also.

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A polling officer is in charge of a certain number of votes. If instead of that one officer you get about 5 or 6 clerks to issue the ballot papers certainly you will be able to poll more than what is being polled now?—It is theoretically possible.

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38. *Mrs. Subbarayan:* What arrangement do you make for the polling of women's votes?—There is no special arrangement. Women go in along with men.

39. To the same polling booths?—Yes.

40. By the same entrance?—As far as I remember it is the same entrance.

* Page 371, Vol. III.

23rd Feb. 1932.] Messrs. J. A. DAWSON, K. CANTLIE & C. S. MULLAN. [*Continued.*

41. Have the women objected to going to the poll by the same entrance ? Has there been any demand for separate booths ?—Not to my knowledge. I have not heard any complaint. My own experience in this particular booth, which was probably the biggest polling booth in the district does not show that. The only women who appeared before me were about a dozen of them who came together. I thought they were cooly women. They were escorted in. I enquired who these women were. I was told that they were *mahtaranis*—sweeper women of the municipality—the Chairman of the Municipality being the candidate.

42. *The Chairman :* What were their qualifications ?—They paid the Municipal tax.

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43. *Mrs. Subbarayan :* Do you think it will be necessary to have separate polling booths for women if a larger number of them are enfranchised ?—I don't see why it should be necessary. If women are going to take their stand with men, they must take their stand.

44. It will be only to provide proper facilities for them ?—I am always against spoon-feeding anybody.

45. *The Hon'ble Mary Pickford :* You don't think it will be necessary ?—Certainly not. I see no necessity at all.

46. You used the last expression as your personal opinion. Would you have separate women presiding officers or not ?—Definitely not.

47. Supposing some separate arrangement had to be made, would it be possible in the polling stations to provide separate entrances so that the women may not be huddled with the men. Would it be possible to do that ? It would thus be possible for those who observe *purda* to get in ?—My experience of Assamese women is that they want to go with their men-folk.

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48. *Sir John Kerr :* Have you got the number of women who voted at the last election ?—It will be very small.

49. May I ask you, if a considerable number of women voted, would it affect your estimate of 15 per cent.? Would that affect your estimate of the staff required for polling ?—You mean if a considerable number of voters were women voters ?

50. Yes ?—But still the total would be 15 per cent.

51. Could you tell us of the 15 per cent., how many were women ?—(*Mr. E. S. Roffey*): It is given in the official report—addenda—" In 1929, 443 women voted in Shillong forming 37·22 per cent. of the poll and 59·94 of the female electorate. Statistics exist as to the number of women who voted in eleven rural constituencies. The percentages of the female electorate who voted range from 23·96 in the Dhubri non-Muhammadan constituency to ·9 in the South Habiganj non-Muhammadan constituency."

52. *Sir Zulfiqar Ali Khan :* It often happens that on account of long distances the voters sometimes do not go to the polling stations. Have you any experience of that ?—(*Mr. Dawson*): I have not heard that it is on account of long distances that they do not come. Possibly it might be the case. I do not know any instances. I can't say. It is quite possible.

53. In order to enable the voters to come, in order to afford them facilities, do you not think that it would be right to allow the candidates to use conveyances for them ?—I think we do so at present in some indirect form, by boats. I think that is done to some extent.

54. Conveyances are provided for this purpose ?—No. Not directly.

55. Do you think it would improve the voting at the polling stations if candidates were allowed to do so ?—You would certainly get more voters at the polling stations.

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56. *Khan Bahadur Maulvi Nuruddin Ahmad :* You said you could cross mark the ballot paper. Is it because you fear that an illiterate voter would spoil the ballot paper by drawing the line too far ?—They always do that. If a man has been merely to a school he likes to call himself literate. He takes the paper to fill up and makes a mess of the whole thing.

57. For doing that you have to ask the voter in the presence of other voters or within their hearing whether he would like to vote for such and such candidate ?—My potential voter comes just behind me. I speak to him this way (the witness showed by actual demonstration how it is done—very softly in the ear) and he replies.

58. But supposing you were not the presiding officer and a non-official was presiding officer, would not there be suspicion ?—I think there would be very great suspicion in the minds of the candidates.

59. Would you allow the agents of the candidate to hear the conversation between you and the voter ?—Certainly not.

60. *Maulvi Monawar Ali :* Are you prepared to consider the possibility of corruption if coloured ballot boxes were substituted for the present ballot boxes, inasmuch as an elector may come to the polling booth with the card and instead of dropping it into the ballot box go back with it and sell it to a candidate or his agent who may entrust these purchased cards to an adherent of his to be put in the ballot box ?—I am prepared to consider any possible attempt to introduce corruption. It must be stopped.

61. This is one of the objections to the coloured boxes ?—Yes.

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62. *Mr. Roffey :* Have you had the electoral roll printed up ?—Yes. The position was this. The Governor suddenly dissolved the Council in May 1929. The general elections took place. The rolls had to be hurriedly printed and in that district, Sibsagar, there are three sub-divisions, Golaghat, Jorhat and Sibsagar and three constituencies. In addition there is another constituency which is also part of another district. That is a Muhammadan constituency. So I had four constituencies for which the roll had to be printed. The printing of the roll cost Rs. 7,500.

63. *The Chairman :* Can you give an estimate of the normal expenses ?—I should think about Rs. 6,000.

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Memorandum submitted by the ASSAM BRANCH, INDIAN TEA ASSOCIATION.

I.—PROVINCIAL LEGISLATURES.

1. EXTENSION OF THE FRANCHISE.

(*a*) The extension of the electorate should be carried out by including (1) the labour electorate hereinafter mentioned, and (2) indigenous and primitive classes mentioned in paragraph 53 of the Government of Assam's recommendations to the Simon Commission, (3) by the reduction of the property qualification and (4) by including the women enfranchised as hereinafter mentioned.

Memorandum by the ASSAM BRANCH, INDIAN TEA ASSOCIATION. [*Continued.*

(*b*) Such an enlarged electorate will not be capable of casting an intelligent vote.

(*c*) The question whether such an electorate would be administratively manageable is one for the administration to decide.

(*d*) It is not considered practicable or desirable to enlarge the electoral roll still further.

(*e*) With the exception of Labour Representation hereinafter mentioned we do not think the group system is necessary. If the group system is introduced the constituencies should be separate and composed of group electors only.

(*f*) We consider that only group electors should be qualified to stand as candidates for such constituencies.

2. FRANCHISE QUALIFICATIONS.

(*a*) There is a marked disparity between urban and rural operations of the franchise qualifications. The reduction of the property qualification is in our opinion the remedy.

(*b*) We agree that the principle to be adopted in allocating representation in the Assam Legislative Council should be based on population, with the exception that weightage should be given to those communities whose population cannot give representation in proportion to their importance.

(*c*) Possession of property is the most suitable test of fitness for the franchise and it is considered the existing property qualifications are suitable in principle.

(*d*) We are not in favour of introducing a qualification based on education, independently of property.

(*e*) We are in favour of extending the existing military service qualifications to include service in the Auxiliary and Territorial Forces.

3. WOMEN'S SUFFRAGE.

(*a*) We are in favour of wives of 21 or over, of men entitled to vote under the property qualification being enfranchised. We are not in favour of widows being enfranchised.

(*b*) We do not favour the group system except in respect of labour.

4. DEPRESSED CLASSES.

We do not consider these classes are likely to obtain representatives of their own choice in the general electorates. We are of opinion they should form a separate constituency, or constituencies.

5. REPRESENTATION OF LABOUR.

(*a*) There is no large industrial area in Assam.

(*b*) We agree to the scheme put forward by the Government of Assam in paragraph 52 of their recommendations with the following modifications:—

(*a*) The qualification for the franchise should be any male or female of 21 years and upwards who has resided on a tea estate and been in receipt of wages during the previous year. The clerical staff to be eligible for the electoral roll.

(*b*) Each tea estate should be treated as a group and every 100 electors thereon should elect one representative to become a member of the electoral college which would elect the member for the constituency by secret ballot.

Memorandum by the ASSAM BRANCH, INDIAN TEA ASSOCIATION. [*Concluded.*

II.—THE FEDERAL LEGISLATURE.

6. ALLOCATION OF SEATS TO BRITISH INDIAN PROVINCES.

(*a*) It was considered that representatives in the Upper Chamber should be elected by the Assam Legislative Council provided candidates can be selected from inside or outside the Council.

(*b*) It was agreed that if elections to the Federal Legislatures were to be indirect through the Assam Legislative Council, the franchise qualification would be the same for both Federal and Provincial Legislatures. On the other hand if election to the Federal Legislatures were to take place by territorial constituencies then the franchise qualifications ought to be different for the Federal and Provincial Legislatures, in which case the existing qualifications for the Council of State and Legislative Assembly are considered suitable.

(*c*) It was considered that election to the Lower Chamber should be by indirect election by the Assam Legislative Council each community thereon voting for its own representation and not by the single transferable vote.

Mr. F. W. HOCKENHULL, Representing the Assam Branch of the Indian Tea Association.

1. *The Chairman:* You represent the Tea Industry?—The Assam Branch of the Indian Tea Association. I have been elected by the General Committee to give evidence regarding their written memorandum.

2. Can you give us any particulars of the Tea Association, what is its membership, and the capital it represents and so on?—With regard to membership there are about one thousand concerns altogether, of which a few are Indian.

3. In one of the statements you have made you say that 433,800 acres are under European ownership and 53,000 acres under Indian?—That is about right. Regarding the capital involved it is very difficult to get at the exact figure for the reason that many of these concerns are rupee companies and many more are Sterling companies, and we have no exact method of calculating what the total capital involved is. Making a rough estimate some 60 or 70 millions sterling are involved in the Tea concerns.

4. And the amount of labour will be about a million?—It is about eleven or twelve hundred thousand.

5. Turn to your answer to question 5 which refers to the representation of labour. You say "each tea estate should be treated as a group and every 100 electors thereon should elect one representative to become a member of the electoral college which would elect the member for the constituency by secret ballot." What would be the qualification for the franchise?—We visualise practically an adult suffrage: the exception would be where the labourer has not been on the estate for a very long time, a year should be the qualifying period.

6. All coolies who have worked one year would be qualified?—You must use the word "labourer" instead of "coolie" because there are skilled people included.

7. Then you group them in hundreds and they would elect secondaries?—Yes.

8. Will those secondaries elect a member to the Legislative Council direct?—Yes, Sir, from amongst themselves. The qualification for a candidate in our scheme would be that he himself should be a secondary.

9. How many members would they elect in the Council?—That depends on the amount of representation which it was considered would be adequate for that class of voter.

10. Your scheme contemplates about 11,000 secondary electors ?—About that.

11. They would elect whatever number was allotted to them ?—Yes.

12. They suggested 3 members ?—Yes, the Assam Government suggests three but members of our industry consider that, *pro rata*, the same representation should be allotted to Tea labour as is allotted to a similar number of so-called backward classes.

13. *Sir John Kerr :* May I ask why you have fixed your group as a hundred ? —It is purely arbitrary.

14. You say that with regard to small gardens as well as large gardens one hundred seemed a suitable unit to work on. It would enable small gardens to get one primary group who would elect one secondary ?—Yes.

15. Do you see any objection if the groups are halved to 50 ?—No, except that probably it will result in more work being attached to it, but there would be no material difference. It is purely an arbitrary figure.

16. If you limit candidates to secondary electors you would not allow anybody to stand as a candidate for that constituency unless he is a secondary ?—That we consider would be real representation.

17. If you have three members—two from the Assam Valley—would it not be difficult for Tea Gardens say in North Lakhimpur which is at the other end of the Valley to get their candidates in ?—I quite agree. We have not had an opportunity of working out in any great detail the exact niceties of this scheme of franchise. The questionnaire asks us certain questions which we have answered and we say at the end that we have made up the scheme without getting it accepted by Government and we offer it for what it is worth.

18. Under your scheme the most outstanding candidate would be the Tea Garden Mohurrir or Mistry who would be entirely uninfluenced by anyone from outside the Tea Garden ?—Yes, probably.

19. Would it not be better to allow a free choice ?—We think in that event it would be merely offering the professional politician an opportunity of exploiting the ignorance of coolie labour.

20. *Sir Zulfiqar Ali Khan :* Can you tell me please, if these secondary electors were to elect one or two members to the Provincial Council, would they be educated men ?—Not necessarily. We have amongst the employees in the Tea Gardens men of considerable education. I should say that, given a free choice, there is no saying who might be elected.

21. You think he need not be from amongst these labourers you employ ?—There are many classes of labourers. Within the very broad generic term of "labour" we include the actual coolie who works on the soil ; we have sirdars who are more or less educated ; outside overseers called Mohurrirs and over them we have the senior man called a Jemadar, a man of considerable capacity. Besides that we have clerks in the offices and we have men who are fairly skilled at work as mistries of various kinds ; so that "labourer" as used in tea gardens covers a variety of employees, some are quite new and have come from the aboriginees of the districts, some have received some education for 4 or 5 generations, some are born round about us and are Assamese and I believe have been to school.

22. Do you think such a man, if elected to the Council, would take an intelligent part in the debates ?—My private opinion is, No.

23. Do you employ women labourers ?—Yes.

24. Would you form separate groups for them ?—That is not within the scope of our intended scheme. We propose that all should vote in the same fashion and in the same category.

25. Do you have Muhammadan and Hindu labourers ?—Yes.

26. Do you suggest that they should have separate rolls ?—It is quite unnecessary.

27. *Sir Sunder Singh Majithia :* Do you think that Managers and other assistants in the Tea industry would be one of the candidates ?—We would exclude them.

28. You would limit it only to the secondaries ?—Yes.

29. In reply to a question from Sir John Kerr you said there would not be much good in lowering the group system below 50 ?—Personally I do not see any advantage, but there would be no objection as far as I can see.

30. Would it not give you a larger electorate ?—It might complicate the wider question of the number of members in the Legislative Council.

31. Would you fix any age limit for the secondary to be elected ?—We do not propose to have a voter under 21 and the voters would vote for one of their own kind and we presume that qualification would be the same for the others.

32. Supposing the age limit is fixed at 25 ?—I personally see no real objection. In every case I should fancy that the secondaries would usually be senior men, men who command the respect of the general electorate.

33. My object is simply this that they would have maturer ideas with which to come to the council ?—I feel sure that among the secondaries you will find those included.

* * * * *

34. *Mrs. Subbarayan :* Your association objects to the introduction of the qualification based on education ?—So far as we are concerned as an Association, we have no objection to adult franchise but quite frankly we think it is unworkable administratively. It is also our opinion that from the point of view of expense and of preparing the large electoral rolls involved it is not feasible. That being so, the questionnaire suggests to us the figure of ten per cent. and we think you can arrive at that figure without very materially lowering the present qualification. There is no other objection. But we do think that a merely educational qualification is probably tending in the direction of irresponsibility.

35. The ownership of property will prevent that irresponsibility ?—I will not make such a sweeping statement though we do find that when in possession of property a voter is more responsible.

36. May I ask why you state that the widows of property holders should not be enfranchised ?—It may be difficult for them to establish their claim. We have no easy system of registration whereby a widow can substantiate her claim.

37. Then in answer to Sir Zulfiqar Ali Khan's question you say that men and women would be grouped together on Tea Estates. Do you think that women would have a chance of being elected as secondary electors ?—Emphatically, No ; not on Tea estates.

38. What would you suggest to ensure that a few women are elected ?—I have no suggestions. I am quite sure that employees on Tea estates would seldom cast their votes in favour of women.

39. It would be less likely that women will be returned to the Council ?—It is very improbable. That is my own view.

40. *Sir Ernest Bennett :* What is the method by which the 100 primaries would elect the secondary ? I am not quite clear, is it by show of hands or by going before the Manager ?—We say it quite distinctly at the end of para. 5 (*b*).

41. *The Chairman :* That does not speak about the first part of the election. How does the primary elect the secondary ?—We see no objection to election by show of hands.

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42. *Mr. Butler :* Would you be in favour of a second Chamber ?—Our Association at first view considered that a second Chamber would be undesirable but I must say that the consideration which weighed with us particularly was that of cost.

43. On the principle, apart from cost ?—The more one deliberates over the question you have put to us, the more perhaps one would be opposed to the advisibility of a second Chamber.

44. You would wish for representation in both Chambers ?—Well, if you knew anything about Assam, we claim Assam and Tea to be synonymous terms and I think it would not be asking too much.

45. Would it be by indirect election in the Lower House and another system in the Upper House ?—Frankly we think that direct election is the only sound method but all these schemes involve very considerable expenditure and we are apprehensive that if any doubt about expenditure is expressed we would have to modify what our instincts would prompt us to ask for.

46. *Lord Dufferin :* I understand your objection to outside politicians is that they bring trouble ?—Not necessarily. Our view is that representation of Tea labour if it is to be adequate should be by people who have the knowledge and experience which the voters themselves have got. That would be ideal representation.

47. My friend Major Milner is going to ask you how long a man would be retained in your employ after he had attacked you and your Association in the Council. May I put a scheme before you which might meet that. Suppose instead of taking a group of a hundred you took an estate or Tea garden as a group and each tea estate elected one member, that he voted by secret ballot and his vote will count according to the number of coolies of the estate, say, 300. Would you still have any objection to outside candidates coming in ?—If you admit outside candidates to a scheme of that sort, there is no limit to what might happen. We have not exhaustively examined all the possibilities. We do not think it is ideal but we have put this scheme forward as a possible and constructive one. It is quite easy to pick holes in it. As we have no experience of its working perhaps it would be premature to judge its possibilities.

48. Surely if one man is elected out of each garden you would get an intelligent type and he could judge the merits of outside candidates and surely it is not difficult for an outside candidate to get knowledge of the working of tea labour ?—I think it is possible but it is not one which we favour.

49. If you restrict it to the Tea Gardens you would have a hold on them and prevent them from being a nuisance. You realise that ?—I see your point but I think on the face of what you say, we still adhere to our opinion, that at any rate in the earlier stages of a representation of this kind, we would be inclined to go slowly and not make jumps in the dark. We would go on what we understand rather than have a bite at it all in one go.

50. *Mr. Chintamani :* May I know why you think that education and responsibility must go together ?—I did not say that education and responsibility must go together. But we do think that if we are to limit the electorate to 10 per cent. of the population, it is unnecessary to go outside that for candidates.

51. If we are not going to limit it to 10 per cent. of the population, you have no objection ?—We have already stated that we have no objection to adult suffrage. We were trying our best to put forward a constructive scheme.

52. *Major Milner :* How will you get the sirdars and others into the groups ?—That is rather a difficult question to answer. We will have to think that out. It may be possible to work it out by castes ; it may be possible to work it out by groups, etc. There are many other ways of working it out.

53. They would get their representation ?—Yes.

54. I see you recommend separate electorates for depressed classes. Would they be more intelligent than the coolies or the labouring classes ?—We are not in a position to say anything definitely about the depressed classes. They are outside our ken, if you understand me. The labour we deal with lives in our lines. We control them. We know a great deal about them.

55. There are depressed classes amongst your labour ?—The whole difficulty about that question arises about the definition of the term depressed classes. If you would give a definition, we would be able to tell you whether any of our labour comes within that category. Until we know that, it is impossible to give an answer.

56. So, the depressed classes you refer to are people who are not connected with tea ?—Yes.

57. *Mr. Tambe :* You gave the number of the labourers as 1,100,000. Are they all adults ?—Oh, no.

58. How many of them would be under 18 or 21 ?—I think if you refer to the recent census you will get some accurate information.

59. You have not got their number ?—I have not. You could get their number from the census figures.

60. May I take it that half of them are women ?—No, not even half.

61. What percentage of them would be children under 18 ?—There will be a very large number.

62. About 40 per cent. ?—I should think fully that.

63. With regard to membership of your Association, how many are there on the rolls ?—*Mr. E. S. Roffey* (Chairman, Provincial Committee, Assam)—I have the acreage membership. The acreage membership is 258,000 in the Assam Branch of the Indian Tea Association. The Surma Valley Branch has approximately 135,000. Total acreage membership is 393,000 and odd out of a planted area in Assam of 433,800. The percentage of membership to the total area is over 90 per cent.

64. What are the qualifications for being a member of the Association ?—Planted area that is all. Any European or Indian concern which has one acre planted can become a member of our Association by paying a subscription on the acreage rate which at the present moment is As. 5.

65. How many such members have you on the roll ?—The membership so far as the Assam Branch is concerned is about 350.

66. Concerns or individuals ?—Concerns.

67. How many of them are Indians ?—The Assam branch has about 20 Indian concerns as members with a total acreage of about 6,000 acres.

68. The number of the others ?—I am afraid I cannot tell you that. I have not got that information. I think it is less.

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69. How many such persons are on the rolls at present ? I want to know the number of electors ?—At page 20 of the Assam Government Memorandum to the Statutory Commission you have the electors for the planting commerce and industries constituency in 1926. There are 754 for the Assam Valley planting constituency and 410 for the Surma Valley constituency.

70. Is that number likely to be increased ?—Possibly slightly. In the addenda, these figures are 803 and 400. So it has increased to 1,203.

71. You want for these 1,203 persons, 13 seats ?—I want for the £70,000,000 sterling and for about 400,000 acres that much representation.

72. These 1,200 people will be electing 13 members to the Legislative Council according to your proposal ?—Yes.

73. How many of them will be Indians ?—We are proposing 13 seats, 2 for Indians and 11 for other interests.

74. Don't you think that the three seats which you suggest should be given to the labourers would practically be your seats according to your proposal ?—I think you are confusing the issues altogether.

75. Your proposal is that the candidates must be from the secondary electorate of the labourers ?—That is a separate proposal for labour representation.

76. But, practically, those three seats would be your seats seeing that those who come in would be under your influence, unless labour is allowed to elect its representatives from outsiders ?—We have no experience of this proposed scheme and, until we have, I do not think we are entitled to take any view at all.

77. *Khan Bahadur Aziz-ul-Huque :* You want 13 seats for the planters ?—No. We are suggesting that 13 seats would be an adequate representation of the tea interests of Assam.

78. These seats are for Labour interests or for employers' interests ?—Employers' interests.

79. Could you tell me what would be an adequate number for representing labour interests ?—We are not prepared to give the exact figure. But we think their representation should be in proportion to their population.

80. Could you tell me exactly the number, when you employers want 13 seats, that would adequately represent labour ?—In the long run when labour is well organised, we think that one for a 100,000 of the population would be enough to represent labour.

81. That means 10 or 12 seats ?—Yes.

82. I want to know whether there is any trade union for the tea labourers in Assam ?—Not that I know of.

83. I find at page 93 of the Assam Government memorandum to the Indian Statutory Commission that the All-India Trade Union Congress sent an agent to organise trade unions in the tea gardens of Assam. Could you tell me if anything came of it ?—No.

84. You do agree that in the coming constitutional reforms, the question of labour *versus* employer is likely to be in the fore front in the Legislative council ?—It is a possibility.

85. Don't you agree, taking the most liberal view of it, that there is a good deal of talk about the grievances of labourers in the tea plantations in Assam ?—I am not aware of that.

86. Assuming that there are strained relationships between the labourers and employers, don't you think that it is very desirable that the representatives of tea garden labourers should be men who would not be under the influence of the employers ?—I am afraid I cannot argue from assumptions.

87. Don't you agree ?—No.

88. In other words, the logical conclusion of your viewpoint is that it would be preferable to have men under the influence of the employers ?—I follow your reasonings.

89. Do you realise the consequence of your answer ? You follow my reasonings but not my conclusions ?—I think the tea industry has a very good reputation and I think we can hope to live up to it as in the past.

90. You think that the type of men who will come from the ranks of sirdars, jamadars and clerks would be good enough representatives of labour ?—Yes.

91. Are you aware of the fact that the sirdars have not been given good certificates in regard to their attitude to the labour interests, in the Report of the Royal Commission on Labour ? Is it a fact that anybody who has to go out of the estates

owing to the system prevailing in Assam, has to be made a sirdar ?—Are you confusing the meaning of the word 'Sirdar' ? The Sirdar that we contemplate is a man who is a headman, a gangster. He is a sort of overseer.

92. I want to know whether you have given any definition of a sirdar ?—The sirdar is a man who has taken a licence for recruiting labourers. He is the headman of certain groups in the gardens. The same term connotes two different kinds of people.

93. I find that a certain cess is charged on garden sirdars and emigrants to Assam ?—Yes.

94. Who receives the cess ?—The Association which does the recruiting.

95. In other words, the employers' association receives a certain amount of cess from the garden sirdars and emigrants with a view to limit the supply of labour to gardens ?—It is a matter of paying for the expenses of this agency.

96. I want to know who receives the cess ; is it the labourers' association or the employers' association ?—The employers' association.

97. Is it levied under a Provincial Act or under an Imperial Act ?—I think it is an arrangement amongst ourselves.

98. You cannot surely levy a cess like that ?—Why not ?

99. Are you aware of the fact that the Labour Commission found the imposition of this cess a very great disadvantage to the labourers and recommended its abolition ?—I am aware of that.

100. Suppose a question of that kind comes up before the Legislative Council, do you think that the representatives of the type you are suggesting for labour, will be able to represent labour interests properly ?—I do not see why they should not.

101. Is there any minimum wage fixed in Assam plantations on the model of that obtaining in Ceylon and Malaya ?—No.

102. *Major Milner :* You do not want a second chamber for Assam ?—No.

103. Your suggestions with regard to tea gardens are intended to enfranchise all men and women whether or not they are actually employed in the gardens. I see you want to amend it. In answer to one question you said that you would restrict the franchise to those who are in receipt of wages ?—Yes.

104. With regard to this proposed system whom would you suggest for forming the groups ? Would you have it done by officials or by non-officials ?—We are perfectly open-minded about it.

105. Could it possibly be arranged on a territorial basis ? I do not know how you house your labour ?—They live in groups.

106. Would you take a set of houses for grouping ?—We would take a set of houses, say, a hundred of them. They are something like villages there. Perhaps they are a bit more orderly.

107. They can be grouped that way ?—Yes.

108. Do the sardars and others all live in the same groups of houses and mix with the labourers freely ?—They come from the labouring classes. They are promoted from them.

109. In answer to question (*b*) you say 'Such an enlarged electorate will not be capable of casting an intelligent vote.' Are they not able to cast an intelligent vote ? —I think not.

110. It all depends upon their ability ?—It is a very broad expression. We must say that on the whole they are not capable of casting an intelligent vote.

111. Education probably improves a man in that respect ?—Yes.

112. Notwithstanding that, I gather that you are favouring complete adult suffrage ?—If it is workable.

113. In your estimate it is not workable now ?—Firstly there is the question of expense; then there is the question of administrative difficulties and thirdly there is the question of the enormous area over which the people of Assam are scattered.

114. In your memorandum you say that the possession of property is not the most suitable test of fitness for the franchise. You also said in your evidence that the possession of property gives a sense of responsibility ?—Yes.

115. We have adult suffrage in Great Britain now ?—Yes.

116. There is no property qualification ?—No.

117. So, you will agree that the great mass of people there had a sense of responsibility when they exercised the franchise a few months ago ? (Laughter)—There is a great difference of opinion on that point. (Renewed laughter).

118. *Diwan Bahadur Ramaswami Mudaliyar :* Would you have any objection if *ex*-tea garden labourers stand as candidates from the electoral college ?—We have not contemplated that scheme and, until we think about it, I would not like to give you an answer on my own responsibility.

119. Will you kindly consider it and let us know ?—Yes.

120. Will there be three or four polling stations for the secondary voters ?—That will be very easily arranged because all our groups of dwellings are more or less accessible to a central place. Once in three or four years they will get together there to record their votes.

121. With reference to your capital of 60 million pounds sterling, could you tell us how much of this capital is in the hands of Indians or owned by Indian shareholders ?—It is very difficult to say that.

122. Most of your concerns are registered companies ?—Yes.

123. You could then get a list from the Registrar of Joint Stock Companies ?—It would be extremely difficult. There is no objection to anybody purchasing shares so long as they are procurable.

124. But, as a matter of fact, how much of the stock is held by Indians ?—I could not give you even an approximate idea. I do know, however, that there is a very great deal of money invested by people who reside in Assam. They have very large interests in these companies. But there are no figures available.

125. You will see the relevancy of my question : if you particularly want European concerns to have 11 seats—and as a matter of fact these concerns are as much owned by Indians as by Europeans—the claim for special European representation is to that extent weakened ?—It might be. Certain companies have got their shares in the market and if anyone wants to buy them he can do so. If I want to sell shares you are eligible to buy. But there are certain cases where the gardens are wholly owned by private Indian gentlemen. Likewise amongst Europeans, there are certain small-sized estates which are entirely owned by one or two Europeans.

126. That may be so. I am taking the whole concern as one tea concern for which you have asked for representation. I should like to have an idea as to the distribution of these shares in the companies between Indians and Europeans ?—We could not give you that.

127. May I have an idea of the taxes you pay to the provincial Government ? How much do these 1,000 concerns pay to the provincial Government ?—We pay income-tax.

128. That goes to the Central Government's coffers. Have you any idea as to how much you contribute to the coffers of the Provincial Government ?—I am afraid I cannot speak definitely about it. It is known to Government officials.

129. May I know the nature of the taxes you pay to the provincial Government ?—We pay land revenue and we pay local rates.

130. Local rates also is a different thing ?—We have also taxed ourselves for road development.

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131. You said that unless the definition of depressed classes is given you would be unable to say what constituted the depressed classes ?—Yes.

132. You do not know whether such a thing as depressed class exists in your plantation labour ?—If you refer to social disabilities, I would be unable to reply. But if you refer to their economic situation, I should say there is no disability attaching to the tea garden labourers.

133. With regard to tea garden labourers suffering from social disabilities, your proposal is to separate them from the non-sufferers and make a separate electorate for them within your electoral college ?—We have not contemplated that.

134. *Mr. Bakhale :* Do you consider that your scheme for the representation of labour on the Assam plantations in the Legislative Council is preferable to the scheme proposed by the Assam Government ?—I think it goes a step further.

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135. In reply to Sir John Kerr you stated that you had no objection to the group system, even if 50 members elected one representative ?—We say that it is a very arbitrary figure and is capable of development.

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136. Your area is confined within a definite limit and would it not be possible to enfranchise the whole population ?—That would entail administrative difficulties. I foresee many difficulties in working it out. Supposing the development of this scheme is entrusted entirely to the management, there would be a suspicion or a suggestion that things were not all right. As it is, we think there would be more freedom and secondly, we can go right away starting with small numbers.

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137. Would you exclude such of the people as are recruiting agents with a license for recruiting, from the labour constituency because their interests are not quite the same as those of the labourers ?—They would never be present at an election. While they are sirdars they are away from the gardens and become recruiting sirdars. But when they are in the garden they are not recruiting sirdars. So, if they are on the garden, they are not sirdars. If they are away from the garden recruiting, they are not on the garden.

138. Don't you apprehend a serious risk if a large number of sirdars are included in the secondaries ?—I quite see the point. But while in the garden they are labourers. But when they go to the coast and are entrusted with recruiting licenses they become sirdars. They are no longer garden labourers.

139. Then as regards clerks, I think you have said somewhere in your replies to the questions put by the Assam Provincial Franchise Committee that there is a possibility of the clerks being returned; did you not ?—I see no reason why they should not be when they are on the same electoral roll as the others.

140. Do you think that the clerks suffer from the same disabilities as the ordinary workers in plantations ?—Not entirely. Some of them would be eligible for a vote in the general constituency. Some of them might elect to go on the garden roll.

141. Is it difficult for the clerks to be put on the general electoral roll ?—If they come under the ordinary qualifications, there is no difficulty.

142. Then as regards the number of seats to be given to the workers on tea plantations, you said that the proportion should be fixed on a population basis ?—Yes.

143. In the case of planters you say that their proportion should be based on the

investments and also on the acreage they own; is it not so?—At present Assam owes much of its prosperity to the tea industry and tea planters. There has been no representation of labour whatsoever except of the nominated kind which I think we need not take into consideration now. Assam has not done badly under the old *régime.*

144. So according to you Assam owes a great deal of its prosperity to its tea industry?—Yes.

145. And labour must have contributed a good deal to that prosperity?—A very good deal. That is why we have taken a very large and liberal view in enfranchising tea labour.

146. I grant that you have taken a liberal view, but I would like you to be a little more liberal and say that workers should get the same representation as capital?—We want to try this as an experiment. Our idea is to go cautiously.

147. What harm is there in giving more representation? Why do you want more caution in this matter?—We are not laying down any hard and fast rule in the matter. At the present time even the most liberal minded man will think that caution should be advised. "Even the Simon report recognises this and thinks that full representation at once is too great a step.

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148. *The Chairman:* You propose constituencies of persons representing labourers, that is, constituencies of secondary voters, amounting altogether to 11,000 voters. That may involve some process of nomination. You will have to nominate candidates in electing secondary voters. I suppose you contemplate any of the parties in the election being free to nominate any candidate to represent labour. Would you agree to that?—We have not carefully worked out the exact details of the scheme. I think that is about what we would do.

149. You would get labour organisations nominating candidates or the Congress nominating them, or any other body doing it?—I suppose any secondary would be qualified to say 'I will stand as a candidate'.

150. If any organisation put up a candidate to represent labour, would you agree to it?—The only qualification is that the secondary should be a labourer and must have known the condition of those he is representing.

151. Suppose a political party finds somebody who is a labourer in a tea garden, would you agree to it?—He must come within the definition given here. He must be a worker and must have been on our books for one year.

152. That is your scheme. You want to lay down that limitation?—This is a scheme which we have very hurriedly constructed and brought up before you as a constructive scheme. We think it is a beginning in educating the tea garden labourers into a possibility of being quite able to select representatives.

153. I want you to elucidate what you say. Say you have got two parties. You must give the labourers the liberty of voting for whomsoever they like. They may want to vote on the political issue or on the labour interests?—We do not want to exercise any influence on the selection; so long as they are qualified they may do as they like.

154. *Khan Bahadur Maulvi Nuruddin Ahmad:* Can you say what is the percentage of Muhammadan labour employed in tea gardens?—I have no exact figures for that. I do not know whether the Census gives the figures. But I may say that it is very small.

Mr. Mullan: It is given in my note. The number of Mussalman coolies in tea gardens is given there as 24,000 out of the total number of people employed in the tea gardens including all the staff which is 979,000.

Mr. Roffey: I may give the figures of acreage in Assam. The total cultivable area in Assam is 5,795,000 acres. The total area comprised in tea estates is

1,655,544. That is, the acreage in tea estates is 28·9 per cent. of the total cultivable area.

155. *Rai Bahadur N. N. Choudhuri:* Only those who have joined your Association are entitled to vote now. And most of the people who are reluctant to join your association are denied the vote?—I do not know whether they are reluctant. But if they do not like to, they will not join. If they like to, they are free to come in.

156. Secondly, they are not represented in the Legislature now?—Directly they would not be represented. But tea interests are fairly broad. There are very few interests which you could define as European interests and as Indian interests regarding the management of the tea gardens.

157. Those who are not members of your association are not entitled to vote?—They are not entitled.

158. And out of 350 members of the Assam branch of your Association, there are only 21 Indian members?—That is right.

159. Then you say that you are paying for the improvement of the roads. They are intended for those areas which are within the tea gardens, but not for the people outside?—No. Your information is wrong. These are main roads. The money is being spent on roads which are used by all and sundry.

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Memorandum submitted by Mr. SONADHAR DAS SENAPATI, Secretary, Bania Samaj, and General representative of the Depressed Classes of Assam.

I.—PROVINCIAL LEGISLATURES.

1. EXTENSION OF THE FRANCHISE.

(*a*) The electorate can be widened and the existing franchise extended by—

(*i*) fixing the property qualification at Rs. 5 (land revenue).

(*ii*) by including the wives of the husbands who fulfil (*i*), holders of the revenue-free grants, income-tax payees, adult matriculates of both sexes.

(*b*) & (*c*) Yes.

(*d*) Does not arise.

(*e*) It would be practicable to enlarge the electoral roll from the land records and income-tax assessment papers. The matriculation qualification can easily be ascertained by a local enquiry through mauzadars and land records staff.

(*f*) The suggestion of group system will not be workable. The formation of groups amongst the illiterate villagers will not be easy and practicable.

(*g*) Does not arise.

2. FRANCHISE QUALIFICATIONS.

(*a*) Yes. I would give better facilities to the towns people who are advanced and experienced in matters of voting than those in rural areas by extending their franchise qualification to payment of an annual municipal tax of Rs. 3.

(*b*) No comments.

(*c*) Yes. But the existing property qualifications require extension as already noted in paragraph 1 (*a*) above.

Memorandum by Mr. SONADHAR DAS SENAPATI. [*Continued.*

(*d*) Yes. Matriculation pass of both sexes.

(*e*) Yes.

3. WOMEN'S SUFFRAGE.

(*a*) I am in favour of increasing the women's electorate in the ways suggested.

I do not favour a group system of representation for women.

4. REPRESENTATION OF THE DEPRESSED CLASSES.

The depressed classes if they have to remain in a general electorate cannot secure representatives of their own choice even with reserved seats as the choice of their candidates, mostly illiterate as they are, will only be practically determined by the majority of the caste-Hindus to suit their own ends. The Muchi members in the present Council are the glaring example. In our province in no district or subdivision are the depressed in a majority and as such their voting strength will not be sufficient to influence the major community to elect a true depressed representative.

I am therefore of opinion that in our province the depressed classes ought to be given a separate electorate so that they may have their own chosen men elected without any intervention by the caste-Hindus. As universal adult suffrage under the present conditions is also not practicable I do not think that a joint electorate will give the depressed classes a real right to adequate representation.

Group system, it is feared, will be an expensive and cumbrous procedure.

Though it is outside the scope of the questionnaire it has become necessary to explain here the present feeling of the caste-Hindus towards the movement of the depressed classes for a separate electorate:—

The time-honoured custom with the caste-Hindus, has been to hate, to depress and keep separate the untouchable castes in Assam. It is not the depressed classes who have created the separation but it is the caste-Hindus who have always kept the depressed classes separate and denied their admission into all common Hindu functions, temples, and *Satra namghars*. The growth of liberal ideas has not yet been able to do away with the line of demarcation. Now, in these political days there is a growing tendency amongst the politically minded caste-Hindus with the aid of the Hindu Maha Sabha not to call us depressed only for the fear of losing our percentage and weakening the Hindu strength by the division. If there be any challenge as to the truth or otherwise of the statement I make, it will be highly welcome and I would most respectfully ask any of the caste-Hindu members of the Provincial Franchise Committee:—

(*i*) Whether he would entertain the menial services of Sonadhar Das not as a cook but as an ordinary menial servant working inside the kitchen and dining place.

(*ii*) Whether I, Sonadhar Das, will be allowed even to participate along with him in a *Namkirtan* ceremony in the *Namghar* attached to a Gosain *Satra*.

(*iii*) Whether I, Sonadhar Das, can claim the services of the priest employed by him for the performance of any social function in my own house.

(*iv*) Whether drinking water offered by me will be taken by him and the members of his family in his house in a social function.

(*v*) Whether it is known to him that on the ground of social depression and disabilities Government is unable to entertain the services of suitable candidates from depressed classes.

(*vi*) Whether he is aware of the letter on this subject, No. 8974-F., dated 23rd October 1918, from the Inspector General of Police, Assam, to the Secretary, Bania Community of Assam Proper, which was produced before the Simon Commission.

(*vii*) Whether he believes that my candidature for election in a joint electorate will be tolerated by the caste-Hindus.

(*viii*) Whether he is aware of the sensations created amongst the caste-Hindus by my candidature in the recent municipal election at Shillong and whether it has come to his notice that all the Assamese caste-Hindus in a body cast their votes even in favour of a foreigner in preference to me—in spite of my humble services towards their clubs, schools, etc.

(*ix*) Whether the following indigenous castes and the primitive people Hinduised who declared themselves depressed before the Simon Commission are not the common sufferers of the same social depression and disabilities:—

Indigenous.

(1) Kaibartas.
(2) Banias.
(3) Sut.
(4) Yogi.
(5) Hira.
(6) Namasudra.

Primitive Hinduised.

(1) Laloong.
(2) Mikir.
(3) Miri.
(4) Mech.
(5) Kachari.

5. REPRESENTATION OF LABOUR.

No labour organisation in our country.

II.—THE FEDERAL LEGISLATURE.

6. ALLOCATION OF SEATS TO BRITISH INDIAN PROVINCES.

(*a*) Yes.

(*b*) The franchise qualifications ought to be the same for the Federal and Provincial Legislatures.

(*c*) Direct election specially amongst the depressed with a separate electorate will be unmanageable on account of geographical distances. The easier course which occurs to my mind is to allow the candidates returned from the provincial electorates of the depressed to elect a colleague of their own to the Lower Chamber of the Federal Legislature.

7. REPRESENTATION OF WOMEN, LABOUR AND DEPRESSED CLASSES.

Nothing to add to what I have said about the depressed classes in "6 (*c*)" above.

8. GENERAL.

No comment.

Mr. SONADHAR DAS SENAPATI, representing the Depressed Classes of Assam.

1. *The Chairman :* Is there an association of depressed classes in Assam ?—Yes. It was constituted on the advent of the Simon Commission to our country.

2. What is the membership ?—The number of members in the Association which I represent is about 13 or 14 delegates.

3. And who appoints delegates ?—Delegates are sent by their own caste people.

4. Have you got a list of the castes which you regard as coming under the heading of ' depressed classes ' ?—Yes, Sir. I gave a list in my memorandum.

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5. You know what their numbers are in Assam ?—According to the Census figures of the 1921 Census we came to about 11 lakhs. And now we may be about 13 or 14 lakhs.

6. Am I right in thinking that you want separate electorates for these 11 lakhs ? —Yes, Sir.

7. What basis of qualification do you propose for their franchise ? Is it the same as for the rest of the people of the country ?—Yes.

8. Do you feel that if you do not have separate electorates, you would get representation in the Legislature under the proposals of the Provincial Franchise Committee in any adequate degree ?—I would not agree to the proposal. I would press for a separate electorate.

9. Have you got any depressed class members on the existing Council ?—At present there is a member who is of course nominated.

10. Only a nominated member ?—Yes.

11. *Dr. Ambedkar :* You have seen the memorandum prepared by Mr. Mullan regarding the depressed classes in Assam ?—Yes.

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12. I just want to point out the difference between you and Mr. Mullan. In your list of the depressed classes you have included certain classes which are properly called ' primitive Hinduised ' ?—Yes.

13. Mr. Mullan has excluded those castes from the category of what he calls ' Hindu exterior castes ' ?—He has not excluded all.

14. He has included them in the category called ' backward ' classes ?—Yes.

15. I understand from Mr. Mullan that these ' primitive Hinduised ' castes although they are more or less depressed, speak still a primitive language ?—They do in their own spheres.

16. Have you any objection to these classes being thus grouped ?—My aim was to give them separate representation. If they get that I have no objection.

17. The second difference is that so far as the Assam Valley depressed classes are concerned you would include the Suts and the Naths ?—Yes.

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18. There is no difference between you and Mr. Mullan regarding the depressed classes in the Surma Valley ?—In the list that I have given here in my memorandum, have quoted only the castes of the Assam Valley. I have not produced the big exhaustive list with reference to both.

19. So far as the Surma Valley is concerned you accept his list ?—I also represent them and I accept his list.

20. Now the difference is narrowed down to these castes, the Suts and the Naths. Is not that so ?—Yes.

21. According to you—you have given a definition of what you regard as depressed classes on page 16 of the volume of Evidence before the Provincia

Franchise Committee—the Suts and Naths of the Assam Valley would come within your definition ?—Yes.

22. You gave evidence before the Simon Commission on behalf of the depressed classes of Assam ?—Yes I did.

23. These two communities, the Suts and Naths, joined with you in the deputation that appeared before the Simon Commission ?—They did.

24. As belonging to the depressed classes ?—Yes.

25. It was pointed out yesterday that the members of the Sut community said that they did not want to be classed as ' depressed classes '. Now, is it a fact that their objection is to the expression ' depressed classes '?—Their objection referred to the word ' depressed '.

26. They would like to be called minority community or backward class ?—Yes.

27. If that expression is used then they would have no objection ?—They are actually, in custom, within my definition. They raised objection to the use of the word only.

28. That is what is stated also in paragraph 5 at page 266 of this big volume. (Replies to questionnaire of the Franchise Committee) " The Sut community should not be treated as depressed but as one of the minority communities in India." Their objection is to the expression ' depressed class '?—They do not want to deviate from the depressed body.

29. But they want to have a different name ?—Yes.

The Chairman : Dr. Ambedkar, let us get confirmation of that from the representative of the Sut community.

30. *Dr. Ambedkar :* On page 19 of the evidence volume, somewhere in the middle you refer to a letter written to you on the 2nd February 1932 by Srijut Mohikanta Das. Is he the same gentleman whose statement appears on page 266 ?—The same gentleman.

31. This is what he says—" My view is that no community allows itself, of its own accord, to be called and treated as depressed. We are called depressed because we are treated so by the caste-Hindus. We may be treated and called depressed by the caste-Hindus for we have no remedy against them. But our community should not, I believe, be designated as depressed in official records. We may be recorded as a minority community or a backward community for we claim to be as high and as pure as the other communities in India. It is the name alone which seems to be most offending to me." This is a passage from the letter to which you referred. This gentleman belongs to the Sut community ?—Yes.

32. I understand that the Yogis or the Naths have also written to the members of the Assam Franchise Committee that they would also like to be included in the depressed classes ?—They also sent two telegrams to the Franchise Committee. They gave evidence at Shillong. They have sent two letters confirming those telegrams, one to Mr. Mullan, Census Superintendent and member of the Provincial Committee, and the other to the Secretary himself.

33. Have you got copies of those letters with you ?—Yes.

34. Regarding the question of the treatment that is given to the depressed classes, take first the question of what you call temples—in this province you call them Namghars or *Thakur Baris.* I believe you are not allowed entry into these temples ?—No.

35. There was a case in the year 1922 at Hajo where certain Namasudras tried to enter the Kedar Madhab temple. They were driven to the criminal court for forming an unlawful assembly and 17 of them were sentenced and the case came up to the High Court ?—Yes.

The Chairman : What happened in the High Court ?

Dr. Ambedkar : Some were let off and the sentence of some was confirmed. I have not got the papers with me here. It is Criminal Revision case No. 423 of 1922—Sidhiram Das and others *vs.* the King Emperor.

36. You refer to another incident which is very recent at a place called Barpeta where a member of the depressed class for entering the Kirtanghar was fined Rs. 400 ?—Yes.

37. I understand that you and the Hon'ble the Minister for Local Self-Government are disciples of the same Guru, Gossain ?—Yes, Dehings.

38. Although you are disciples of the same Gossain, there are two different Namghars for the two communities ?—Yes.

39. Regarding the question of wells I understand that in your province the communities have separate habitations. There is what is called a ' Namasudra-para ', a ' Bania para ' and so on. Each is autonomous. Consequently the question of water does not arise very much ?—No.

40. All the same, you mentioned before the Simon Commission that at that time there had occurred a case of a Kaibarta woman being assaulted for taking water from the Municipal well in the Nowgong District. Is that a fact ?—Yes.

41. There has also been a recent case, some six months back, at a place called Chaigaon. There was a Sub-Assistant Surgeon belonging to a depressed class and there was a school boarding house with a well attached to it. It was suspected that the water of the well had gone bad and that cholera had commenced on that account. This Sub-Assistant Surgeon who belonged to a depressed class had to go there in order to take water to test for the purpose of disinfection. When he did that, there was a row and the matter was reported to the local Government ?—To the Chairman of the school.

42. And the matter is still being considered ?—I do not know. There has been some row between the Chairman and the doctor but nothing further is yet known.

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43. I understand that the depressed classes are not allowed in the police service in Assam ?—No.

44. That is due to the fact that a police officer has to come in close contact with households ?—Yes.

45. And therefore a depressed class man is not allowed ?—Yes.

46. It is because the sentiment of the Hindus would not allow that ?—Yes.

47. There is some statement in the evidence that the Hindu Mahasabha and other organizations are making efforts in order to improve the condition of the depressed classes ?—Yes they have.

48. Is it not a fact that the depressed classes look upon these attempts with some suspicion ?—Yes. They do.

49. And they are not co-operating with it ?—No.

50. They look upon that as purely a political move ?—Yes.

51. These attempts are only of recent date ?—Yes. I was invited to attend one of the sittings and I sent a printed reply to that and from that it can be understood what our feeling is towards them.

52. *Diwan Bahadur Ramaswami Mudaliyar :* You gave us some instances of depressed class men being beaten and all that. Have you read in this morning's " Statesman " that two sections of the depressed classes in Bombay fought with each other over the question of polluting each other by touch and that about 21 of them were injured ?—I have not had any opportunity to read it.

Dr. Ambedkar : That has nothing to do with depressed classes. The castes mentioned are not depressed classes.

Diwan Bahadur Ramaswami Mudaliyar : We might investigate that when we go to Bombay.

53. These periodic cases of mal-treatment may have for their origin a number of causes none of which need necessarily relate to the fact that a man or a woman belonged to the depressed classes ?—No. I do not agree.

54. You quoted a letter from Mr. Mohikanta Das. You were good enough to refer us to his statement on page 266. You said that the only objection was to the term depressed class. If that term was changed, he would have no objection ?—Yes. That letter was read out.

55. I should like to read to you what he says in his statement here ?—That letter is subsequent to that.

56. At the time he gave evidence he was incorporating the views of the Executive Committee of the Assam Sut Conference and he says there " this meeting is of opinion that there are no depressed classes in Assam and that there should be no separate electorate for them. The tea garden recruits may be classed under labour, and the group system of representation should be made applicable to the latter. The meeting is not in favour of a separate electorate for labour ". So obviously apart from the fact that he objects to the term ' depressed class ' he is certainly against separate electorates for depressed classes ?—He has since changed his mind.

57. And the change has been brought about because people from outside have been good enough to suggest to him that it would be more in his interests to have joint electorates than communal separate electorates ?—He is an educated man. He has very strong commonsense and he cannot be influenced.

58. Change of opinion need not necessarily be owing to influence. You are aware that a member of our Committee has been writing to you suggesting that separate representation would be better ?—One of your members has written to me to what effect ?

59. That separate electorates would be better than joint electorates ?—Yes.

60. These Namghars, are they different from temples proper ?—They are different.

61. Are they owned by individuals or families ?—They are owned by villagers. One village contains sometimes thousands of people.

62. Is the proprietorship vested in an individual or is it public property ?—It is vested in the Gossain.

63. Are there any public temples in Assam ?—There are.

64. What is the name of the public temple as opposed to a Namghar ?—These are the institutions founded on the principles of the reformer, Shanker Dev. The temples are Dewalays founded on the principles of Sakta people.

65. There is a distinction between temples as ordinarily understood and Namghars ?—There is no distinction so far as their sacredness is concerned.

66. What do you call a temple in your language ?—Dewalay.

67. Is there any distinction between a Dewalay and a Namghar ? Any distinction about proprietorship, etc. ? Why do you call one sacred place a Dewalay and another place a Namghar ?—Because a temple is dedicated to the name of the god and the Namghar is sometimes dedicated to the Gossain.

68. A Namghar is a more restricted institution than a Dewalay ?—No.

69. Are you allowed into a Dewalay ?—No.

70. Are you allowed into the famous shrine at Gauhati ?—Kamakshya—No.

71. None of the depressed classes ?—None. I shall qualify my statement by saying that on account of the Shudhi movement there might have been one or two cases where the depressed classes were allowed entry. We are not taken in as a matter of social custom.

72. So that as a result of some of these movements, as a matter of fact, some of the depressed classes have been allowed entry to some of these temples. It is not altogether a political game ?—There have been efforts to get the depressed classes allowed entry into the temples.

73. With reference to pollution by touch, I take it that there is no such thing in Assam ?—Is there any community whose touch is supposed to pollute a superior caste man necessitating a bath before he takes anything ?—I think so. In actual social life all Hindus—I do not mean in public schools, etc.—never touch a depressed class man. If they are touched, they take a bath.

74. Are you prepared to say that this is a factor to be taken into consideration when deciding about the depressed classes ?—I do not include that in my definition.

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75. This idea of getting representation of the depressed classes by separate electorates is quite new ?—No, it is not new. It was raised when the Simon commission came out. We asked for this in 1929. We had separate representation in our minds all along and when we got the first opportunity we represented that.

76. If you had separate electorates would you still come to vote in joint electorates ?—If I have a separate electorate I will not care for a joint electorate. I have got my own experience of joint electorates. We are actually in joint electorates now and I can with confidence tell you from bitter experience that in the joint electorates we have no chance.

77. Your experience is of no account because you have now got reserved seats ?—When I gave evidence in Shillong I said we were not in a position to send men of our own choice.

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78. *Mr. Miller :* I understand your point to be that you do not consider the depressed classes would secure representation by general election in joint electorates ? —Yes.

79 We have the opinion of Mr. Kilburn of the Indian Tea Association who says " We do not consider these classes are likely to obtain representatives of their own choice in the general electorates. We are of opinion they should form a separate constituency, or constituencies ". Those opinions are presumably impartial ?—Yes.

80. *Mr. Tambe :* You belong to the Bania class ?—Yes.

81. Corresponding to Sonar banias of Bengal ?—Yes.

82. Are the Sonar banias goldsmiths ?—Yes.

83. Are the goldsmiths a depressed or a backward class ?—I have said already that " depressed " is a Hindu caste who suffers disabilities. Whether I am poor or rich it does not matter. I suffer from depression from the general Hindu public—I mean the caste-Hindus.

84. You won't class yourself as a backward class ?—As a depressed class.

85. Not as backward ?—They are backward in the Hindu society. They do not get all the facilities for their education and services on account of the inclination of the caste-Hindus.

86. Are there any Government restrictions in Assam which prevent you taking advantage of education ?—Yes, I have produced that letter.

87. In educational institutions ?—Yes, you can ask anyone whether they allow our boys to mess with the others.

88. Any instances where Sonar banias have not been allowed ?—They have never been allowed.

89. Can you give an instance where a student has gone there and has been

rejected ?—He is not allowed to go there.

90. Can you quote a specific instance ?—It is always the same, they are not given seats. We represented the matter to Government about three years ago and I produced an instance.

91. Was it of your community ?—Yes. I moved the Minister of Education and prayed for some remedy and from time to time I have been constantly moving the Government.

92. From your statement before the Local Franchise Committee I find that there have been persons from your community who have held important offices ?—Yes.

93. You yourself are a Revenue Sheristadar ?—Yes, then I came to the Secretariat on promotion.

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94. Are there any graduates in your community ?—Yes, 5 or 6.

95. There is a professor from your community ?—Yes.

96. A Lecturer in the Law College ?—Yes, but I said that these appointments were made outside the Selection Board. They were given by the Governor by sympathetic consideration. On the Selection Board there is a predominance of caste-Hindu members. There is the appointment of Ramesh Chandra Das as Law College professor. This post was given to us by Sir John Kerr out of special kindness towards us because he could not do anything for us on the Selection Board. That appointment was in his hands and he gave it to us out of noble-mindedness.

97. You have brought in Sir John Kerr's name. During his time no person was nominated as a representative of the depressed classes ?—No.

98. There was no necessity to represent—*The Chairman :* You may ask Sir John Kerr about that.

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99. *Mr. Chintamani :* What is the total number of classes called " depressed classes " ?—I agree with the list given by Mr. Mullan.

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100. You have read this note of his ?—Yes.

101. He says : that " there is no such degree of depression in Assam and the untouchable caste is unknown, that boys and girls are freely admitted to all classes of schools nor were there any difficulties worth mentioning about drawing water from wells ". May I hope that you agree with this opinion of his ?—No, I don't agree. Of course after his enquiries he has come to some conclusions with some of which I may not agree.

102. Your testimony to Mr. Mullan given a minute ago is without prejudice to your rejection of his opinions when they do not suit you ?—There may be some defects in his conclusions also.

103. You spoke of the reference he has made to the right of entry to temples ?—Yes.

104. Are you aware that nearly all of us are not admitted to the place where the idol is kept whatever our castes may be ?—I am myself not accessible to any site ; so I am unable to say whether you are allowed or not.

105. You don't know that fact ?—No.

106. You have stated that members of depressed classes are not admitted into Police service ?—Yes.

107. Who imposed that prohibition ?—Government imposed that in a way and also caste-Hindus.

108. Have the caste-Hindus the right of control as to who should be admitted into service ?—They can influence the mind of Government.

109. It has been put to you and you have endorsed the opinion that the attempts of the Hindu Mahasabha to do uplift work amongst the depressed classes are purely political in motive ?—In the light that people have regarded the Mahasabha I subscribe to that opinion.

110. You can say "yes" or "no". It was put to you and you endorsed that opinion ?—I cannot say "yes" or "no". From their activities which I have seen I am of that opinion.

111. Would you have preferred that the Hindu Mahasabha did nothing for the uplift of the depressed classes ?—Well, I don't say that; but what is their object ? From what I see it cannot be their object.

112. You have admitted that for the first time in 1929 before the Simon Commission you made the demand for separate electorates. Why did you not make it before ?—There was no question of Reforms before.

113. You are aware that from 1917 to 1920 this question was mooted. Why did you not raise the demand then ?—Our Association then was not in existence.

114. Was there any demand from any of you ?—There was no invitation to us to pronounce our opinion.

115. I put it to you that this demand has entirely political motives behind it, that it is recent and that it is not spontaneous ?—I don't agree.

116. You are now in the joint electorates. When the franchise is lowered and the numbers of depressed classes in the electorate are much larger than they are now and there is reservation of seats for those depressed classes, you will be able not only to have depressed class members in the Council but you will be able to influence the election of such members of the higher castes as will promise to stand by you and promote your interests and defeat the others ?—I will never believe that. It is not my experience.

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117. *Sir Muhammad Yakub :* Do you know anything about the Minorities Pact which was entered into at the Round Table Conference in England ?—I am aware of the Pact arrived at by Dr. Ambedkar at that Conference.

118. Do you still agree with the provisions of the Pact ?—I agree.

119. Do you think that the Pact is approved by the majority of your people ?—Yes.

120. Do you know Mr. M. C. Raja, the nominated member in the Legislative Assembly on behalf of the depressed classes ?—Yes.

121. In this morning's paper we find that he says that the consensus of opinion of the community is opposed to the Minorities Pact ? Do you think that the consensus of opinion amongst your classes is against the Pact ? I am asking whether the consensus of opinion among the depressed classes in India is in favour of the Pact or against the Pact as Mr. Raja says ?—The consensus of opinion is in favour of the Pact arrived at by Dr. Ambedkar at the Round Table Conference and we do not agree with Mr. M. C. Raja because he has been dethroned.

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122. His views now do not represent the views of the depressed classes ?—No He does not represent us.

123. He has also stated that in view of the provinces getting provincial autonomy there is the danger of depressed classes losing seats in cabinets consequent on their segregation into separate electorates. He therefore stands for joint electorates with reservation of seats. Do the depressed classes share the views expressed by Mr. M. C. Rajah ?—They do not.

124. You think that the depressed classes generally stand by separate electorate ? —Yes.

125. You think that if you are given reserved seats through joint electorates, the men who will be returned by such electorates will not be representing your interests faithfully and truly ?—Yes.

126. You think that under joint electorates you will be slaves to the caste Hindus ?—Yes. Persons returned through such electorates will be men set up by caste Hindus.

127. You also think that such candidates will not be able to express their opinions freely in the Council on matters affecting the other minorities in the Council ?—Yes, I am of that opinion.

128. You think that they will have to be hostile to the other minorities on account of the fear of the electorate which returned them ?—Yes.

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129. *Mrs. Subbarayan :* You said that you will have the matriculation standard as the educational qualification for men and that you will have a literacy qualification for women ? Will you have different qualifications for men and for women ? —No. I mean the qualifications of the husband will apply to the wife.

130. As regards the educational qualification you suggested in your written statement that the matriculation standard should be the qualification ?—Yes.

131. But in answer to one of the questions put to you you said you will adopt the same qualification for women as for men ?—On further consideration I thought that it should be the same.

132. Do you think that would bring in a large number of women on the electoral roll from your community ?—My community has no purdah system.

133. But will there be many women of your community who will get the vote by virtue of this qualification ?—Yes.

134. I am glad that education has made progress among the women of your community. Are the girls finding any difficulty in attending the schools ?—They have some difficulties in the country parts in attending schools ; but when they come to the colleges in Calcutta they do not find any difficulty.

135. If there is no purdah system in your community, it should be possible for the women of your community to record their votes in a general polling booth ? —Yes.

136. They would not require separate polling booths ?—No, but there should be separate accommodation provided for ladies who observe purdah.

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137. *Sir Zulfiqar Ali Khan :* Mr. Das, we have heard a good deal about your differences with the caste Hindus. Will you tell us whether there is a community of interest in the political sense between you and the Hindus ?—No.

138. On what fact is your distrust of the caste Hindus based ?—I have stated that in my memorandum.

139. You think that the majority community does not grant you representation in the Council or a share in the services ?—Yes.

140. Therefore you want that your separate interests should be safeguarded ?—Yes.

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Memorandum submitted by the ASSAM PROVINCIAL MUSLIM LEAGUE.

I.—PROVINCIAL LEGISLATURE.

1. The Assam Provincial Muslim League in its memorandum submitted to the Simon Commission gave its opinion in favour of adult suffrage and for

Memorandum by the ASSAM PROVINCIAL MUSLIM LEAGUE. [*Continued.*

retention of communal electorates in all legislatures. At present only 3·7 per cent. of the total population are enfranchised in this province. With the introduction of full provincial autonomy it is essentially necessary that at least a very substantial portion of the adult population should be enfranchised. Universal adult suffrage has been accepted as the goal and for the transitional period the electorate ought to be increased.

(*a*) If 10 per cent. of the total population were to be enfranchised it could be done if the electoral qualifications were lowered. In the appendix,* chaukidari assessment list of the area of chaukidar No. 1 of circle No. 39 of the Sylhet Sadar Police Station is given with the number of inhabitants in each house as stated by the Sarpanch of the Circle and it shows that the result can be achieved by lowering the franchise qualification to the payment of chaukidari tax to annas nine per annum and similarly electoral qualification where it is based upon payment of land revenue, local rate or municipal tax may be so minimised as to obtain the necessary number of the voters.

(*b*) There is no doubt that such an electorate will be capable of casting an intelligent vote. The League in its memorandum submitted to the Simon Commission stated as follows—" inspite of general ignorance of the masses they are intelligent and inquisitive enough and can grasp political issues ".

(*c*) Such electorates will not be administratively unmanageable for the same agency will be required for preparation, maintenance and revision of the electoral rolls as at present; only the increase in number of electors will require opening of additional polling centres and the League considers such a measure is quite within the range of practical politics.

(*d*) The question does not arise.

(*e*) In preliminary remarks widening of the electorate has been advocated and the League is of opinion that to start with about 20 per cent. of the total population should be enfranchised. The recent census shows that the total population of the electoral areas in the province (including the British portion of the Shillong Municipality) is 7,964,317 and if 20 per cent. of this population are enfranchised about one person out of every three adult persons will have right to vote.

At present payment of chaukidari tax of not less than Re. 1 per annum entitles a person of rural areas of the districts of Sylhet, Cachar and Goalpara to vote in the Provincial Council. In order to have a rough idea the chaukidari assessment list of area of chaukidar No. 1 of circle No. 39 of the Sylhet Sadar Police Station is given in the appendix,* with the number of persons living in each house-hold as stated by the Sarpanch of the Circle. In that circle the number of inhabitants are over five hundred and according to the existing qualification of voters the number is 20 or 3·9 per cent. If every person paying chaukidari tax is given the right to vote in the provincial legislature, there will be about 91 voters and thus more than 18 per cent. of the total population of the circle are enfranchised. Similarly, the electoral qualification in constituencies other than those mentioned above where qualification is based upon payment of land revenue and local rate and in municipal areas where it is based upon payment of municipal taxes, may be so minimised as to enfranchise about 20 per cent. of the total population of the electoral areas.

According to census figures of 1921, the total population in the electoral areas in Assam was about 6,735,000 and total adult population in the same was about 4,640,000. As the complete report of the census of 1931 has not yet been published, if the ratio of the last census in regard to the total population and the adult population is accepted, there will be about 5,494,000 adult population out of the total population of 7,964,317 in the electoral areas. The enfranchisement of about 20 per cent. of the total population

* Not printed.

Memorandum by the ASSAM PROVINCIAL MUSLIM LEAGUE. [*Continued.*

will increase the number of voters to about sixteen lakhs and thus about 30 per cent. of the total adult population of the electoral areas of the province will be enfranchised.

(*f*) The League does not see its way to accept the proposal of group system —firstly because it is opposed to any sort of indirect voting, secondly the group system will give rise to innumerable election disputes as to the selection of persons representing the groups, thirdly introduction of group system will require preparation of voters list on the same basis as in adult suffrage system with the additional burden of election of representatives of the groups.

(*g*) The question does not arise.

(*h*) The League has throughout been opposed to indirect voting and cannot therefore favour group system which is nothing but indirect voting. If adult franchise is conceded it should be undiluted and be adult suffrage pure and simple. Enfranchisement of all adults through group system is more cumbrous and more laborious than simple adult franchise.

(*i*) & (*j*) The questions do not arise.

2. (*a*) No.

(*b*) Voting strength of each community should be proportionate to its number. In case the result is not obtained by uniform method of franchise as suggested above, the qualification for Muslim or other electorate as the case may be, might be still more lowered or widened, *e.g.*, by giving an additional vote to a second member of a family that pays a chaukidari tax of at least annas twelve per annum or by lowering the franchise qualification still further.

(*c*) The existing qualification for franchise is not based upon the possession of property alone. The payment of chaukidari tax is not based merely upon one's possession of property but upon one's earning capacity as well. So it is found that labourers are even assessed to chaukidari tax. In the districts of Sylhet, Cachar and Goalpara qualification of vast majority of electors is payment of chaukidari tax. In the Sylhet Municipality as well as in some other municipalities there is no tax upon holding but personal tax is levied and this is based upon assessee's circumstances and property.

Out of 33 constituencies in the Province of Assam (excluding the Planting and Commerce and Industries) it is only in 13 constituencies that the franchise qualification is not based upon payment of chaukidari tax but chiefly upon payment of land revenue or local rate.

In the absence of any other criterion for franchise the present basis of possession of property and payment of certain taxes may be retained till adult suffrage may be introduced.

(*d*) This Committee is not in favour of introducing a qualification based on education:

3. (*a*) This League is against the proposal of extending the franchise in favour of the wives and widows of men entitled to vote and in addition to an educational qualification to women over 21 years of age (Maulvi Abdul Muyeed Chaudhury only dissenting).

This League is of opinion that no other extra measure is needed for extension of electoral roll for women. The proposed measures for widening of electorate are easy enough for admission of any woman who is willing enough to get herself enfranchised.

Even now there are some women in the electoral roll but even a woman of very lower middle class does not come to the polling station for giving her vote. Purdah system among many and specially among the Muslims prevails.

So really if they are to be enfranchised they should show in immediate future that they are eager to enroll themselves as voters and poll in the elections.

Memorandum by the ASSAM PROVINCIAL MUSLIM LEAGUE. [*Continued.*

(*b*) In the light of the observations made against the group system the question does not arise.

4. The League in its memorandum submitted to the Simon Commission proposed for constituencies for depressed classes for their representation in the Legislative Council.

Representation by nomination will be an anomaly in a responsibly governed province.

As circumstances stand it will hardly be possible for the depressed classes to send their nominees to the legislature through general electorate unless special constituencies are created for them.

Group system of representation is not favoured by the League.

5. Agriculturists are represented in general constituencies.

Regarding tea garden labourers—they are hopelessly backward not only educationally but intellectually too. They live in complete isolation, and few outsiders have any access to them and consequently no political organisation among them is possible. Unlike the general masses they are ignorant of what is going on around them.

So long as they remain in the present condition, it will not be reasonable to extend the right of franchise to them.

II.—THE FEDERAL LEGISLATURE.

6. Allocation of seats to the province of Assam in the two Chambers of the Federal Legislature as suggested by the Federal Structure Committee is quite inadequate and far below the number which it deserves when the population of Assam is compared with that of Bombay.

In Bombay 26 seats have been allotted in the Lower Chamber for its population of 21,854,841, *i.e.*, one seat for 84,057 and 17 for Upper Chamber. According to this basis of calculation Assam ought to have at least 10 seats instead of 7 in the Lower Chamber and 7 seats instead of 5 seats in the Upper Chamber.

(*a*) This Committee does not approve of the suggestion that representatives of the British Indian Provinces in the Upper Chamber should be elected by the Provincial Legislature by a single transferable vote.

This League is opposed to indirect election. The election to the Upper Chamber should be on the same basis as that of the Lower Chamber with the same franchise qualification.

(*b*) There should be some difference in the franchise qualifications between the Provincial Legislature and the Federal Legislatures.

Qualifications which give right of voting for the Provincial Legislature at present should be taken as sufficient qualification for Federal Legislatures.

(*c*) This League suggests that election to both the chambers of the Federal Legislature should be by territorial constituencies consisting of qualified voters who should cast their votes directly for the candidates of their choice.

Candidates to the Federal Legislature will not be a man who is not known to the public, but one who has already been introduced to the public by his public services. Such candidates do not require house-to-house canvassing. Consequently it is not desirable to give up direct method to indirect method.

Indirect method in rural areas, as has already been told, is fraught with danger. There will be many an election case when representatives of groups would be elected.

As has already been stated the number of seats that have been proposed for Assam is inadequate. Assam is entitled to 10 seats in the Lower Chamber and 7 seats in the Upper Chamber which the League claim.

This League in its supplementary memorandum submitted to the Simon Commission pleaded for retention of communal electorate and also asked for

Memorandum by the ASSAM PROVINCIAL MUSLIM LEAGUE. [*Concluded.*

40 per cent. representation in the Legislatures. Out of the total population of 7,959,709 in electoral areas (excluding the Shillong Urban constituency) 2,743,253 are Muslim. On this basis the Muslim percentage of population is 34·46 per cent.

The coolies actually working in the gardens are not enfranchised nor are they organised for a labour constituency. Consequently justice requires that the weightage of their number should not be taken account of in arriving at the proportion which the Muslim should secure in future Legislatures.

The full report of the census of 1931 has not yet been published, so the number of garden coolies is taken to be 922,245 according to the census of 1921. Without making any addition even and if this number is subtracted from the number of people in the electoral areas, the figure of the total population would be reduced to 7,037,464 and then the percentage of Muslim becomes 38·9.

The British Parliament, on the report of the Southborough Committee granted representation to the minority communities over their population strength in all provinces of India except Assam. As the Southborough Committee based their report on the Lucknow Pact arrived at the meetings of the Congress and the All-India Muslim League held in 1916. Unfortunately none from Assam took part in that meeting and that accounts for the exclusion of Assam from the Lucknow Pact. The Government has practically accepted the principle of weightage to the important minority communities as in the case of Hindu minority in the North-West Frontier Province.

Consequently it is meet and proper that the Muslim community of Assam be given at least 40 per cent. representation in the future Legislatures.

Accordingly out of the suggested 10 seats in the Lower Chamber for the province of Assam 4 are to be given to the Muslim and out of 7 seats in the Upper Chamber 3 seats are to be given to the Muslim community.

The total number of Muslims in electoral areas in the province is 2,743,674. According to population basis (which has already been accepted by the League) there shall be one seat for 685,918 Muslims.

Two seats might be given to a constituency with four subdivisions of the District of Sylhet, *viz.*, Sadar subdivision, South Sylhet, Habiganj and Sunamganj. Another constituency with one seat might be formed with Karimganj subdivision of the Sylhet district, and with the districts of Cachar and Nowgong. Another constituency with one member might be formed for the rest of the province.

For the suggested three seats for the Muslims of Assam for the Upper Chamber of the Indian Legislature, 2 constituencies might be formed as follows:—

Surma Valley and Shillong Municipality . .	2 seats.
Assam Valley	1 seat.

7. *Nil.*

8. The existing franchise being limited offers room, as it has done, for corruption. Wider franchise is bound to eliminate corruptions.

In practice the existing electoral rules and the regulations have been found defective in more ways than one for instance in the case of illiterate voters the requirement of the rule that he should himself put the cross mark against his nominee, has in no small number of cases resulted in the cross mark being put in wrong places thus adding to the number of rejected votes. The procedure also involves unusual loss of time.

Both these might be obviated by substituting simple numbered cards or tickets for ballot paper which the elector may be asked to put into the ballot box representing his nominee by distinctive colour.

Maulvi MOHAMMAD ABDULLAH, representing the Assam Provincial Muslim League.

1. *Sir Zulfiqar Ali Khan :* Do you want direct or indirect form of election for the Muhammadans ?—Direct.

2. How far would you go in enfranchising Muhammadans ?—In my memorandum I said that 30 per cent. of the adult and 20 per cent. of the total population should be enfranchised.

3. Would you give the franchise to women ?—If they come on the same qualification as men.

4. *Sir Ernest Bennett :* You are not in favour of an educational qualification of any kind ?—No.

5. *Major Milner :* Can you just tell me what is the distinction between the Assam Provincial Muslim League and the Assam Muslim Association who seem to have rather different views ?—The Assam Muslim Association is an association of the Muslims of the Brahmaputra valley. There are two divisions of Assam. One is the Assam valley or the Brahmaputra valley, and the other is the Surma valley. In the Surma valley the Mahomadan population is 18 lakhs and in the Brahmaputra valley it is 9 lakhs. The Assam Provincial Muslim League represent the Muslims in those two areas. The Assam Muslim Association includes some of the Mussalmans of the Brahmaputra valley only. But the Assam Provincial Muslim League includes the whole province of Assam so far as the Mussalmans are concerned.

6. Which view would you rely upon ? We do not understand the distinction ?—I rely on my friend Maulvi Nuruddin Ahmed who is a member for the Assam valley and who supported the memorandum of the Assam Provincial Muslim League.

7. The Assam Muslim Association favour the group system whereas your association does not favour it ?—Yes.

8. *Mr. Bakhale :* You have stated that so long as the tea garden labourers are educationally and intellectually backward, you would not give them the right of franchise ?—They are backward. We said: "Regarding tea garden labourers, they are hopelessly backward not only educationally but intellectually too. They live in complete isolation and few outsiders have any access to them and consequently no political organisation among them is possible. Unlike the general masses, they are ignorant of what is going on around them".

9. Would you like them to wait till trade unions are formed ?—Yes.

10. That will take some time ?—It may take time.

11. If any other suitable remedy is found to enfranchise them, would you like it ?—I have not found it so far.

12. You are prepared to consider it if any other remedy is suggested to you ?—Yes, I am prepared to consider it.

13. *Maulvi Monowar Ali :* Has your league an executive Committee ?—Yes.

14. What is the number of members ?—Excepting office bearers, it is 40.

15. And they hail from both the valleys ?—Yes. Khan Bahadur Nuruddin Ahmed is one of the members.

16. In your league has been included the whole Moslem population of Assam ?—Yes. Even all the Moslem members of the Assam Provincial Committee members are of my league.

17. Are you aware whether the Assam Muslim Association held a properly notified meeting in order to submit the memorandum which is now printed here ?—I learnt from my friend Rukonuddin Ahmed who is a member of the Association that there was no such meeting.

18. Was there any meeting to consider the memorandum submitted by your League notified to the members ?—Yes, there was a clear 15 days notice.

19. *Srijut R. K. Choudhuri :* Khan Bahadur Nuruddin Ahmed, member of the Provincial Franchise Committee is Vice-President of the Assam Muslim Association ?—Yes.

20. *Major Milner :* They give two associations here, Sir, and we do not know how far they are representative and what view each represents. It is said that there are members of the Provincial Muslim League who are members of the Provincial Franchise Committee. Are there no members of this Committee who are members of the Assam Muslim Association ?—Yes, there is one member.

I understand it is suggested that the memorandum No. 96 was submitted by the Assam Muslim Association and that an office bearer of that Association is a member of the Provincial Franchise Committee. Will that member please say how far it can be relied upon ?

Khan Bahadur Maulvi Nuruddin Ahmed : It is a fact that I am Vice-President of that Association, the Assam Muslim Association. It is a fact also that I am a member of the Assam Provincial Muslim League. The Assam Provincial Muslim League is indeed the real body. It is the league of the Muhammadans of the whole of Assam, whereas the Assam Muslim Association is confined to the Brahmaputra valley only. Unfortunately the Secretary of the Assam Muslim Association is a man who was a Congress Secretary before. He resigned that post and led the Muslims to believe that he changed his opinions and he was appointed as Secretary of the Muslim Association. Then in the general conference of the Assam Muslim Association it was laid down expressly that there should be separate electorates for Muhammadans. Now this memorandum was written by this gentleman; he has gone against that express instruction given by the Assam Muslim Association. This memorandum was not put before the Conference of the Assam Muslim Association, but only before a meeting of a few members from Gauhat but not members from outside.

21. I want the total number of the two bodies ?—There are a thousand in the Assam Provincial Muslim League. But in the Assam Muslim Association I do not think there will be more than 150.

22. *Mr. Sarwan :* Is it not a fact that the memorandum of the Assam Muslim Association embodying their views was published in the Assam and Calcutta papers ?—I did not see it.

23. Can you say how many members of the Assam valley attended this meeting of the Assam Provincial Muslim League you mentioned ?—About 3 members sent their proxies. They did not attend personally but only by proxies, which is allowed according to the constitution.

24. *Lord Dufferin :* If the group system were adopted, do you anticipate any difficulty in finding Muslims to form groups ?—First of all, my association is against the group system.

25. Supposing the system is adopted, would there be sufficient Muslims to form the groups ?—If it is adopted, as regards Surma valley there will not be dearth of population. But in some portions of the Assam valley, the Muhammadan population is scarce.

Memorandum submitted by Rai Bahadur SATIS CHANDRA DUTTA, M.A.,B.L., *ex*-M.L.A., Government Pleader, Sylhet.

I.—PROVINCIAL LEGISLATURES.

1. EXTENSION OF FRANCHISE.

(*a*) It is very difficult to appreciate the results of any extension of franchise, unless the results of the last census are known and all necessary

Memorandum by Rai Bahadur SATIS CHANDRA DUTTA. [*Continued.*

figures are available. In the absence of such facilities, I will not attempt to forecast the proportion of increase. In my opinion, however, if certain lowering of the franchise be otherwise considered both safe and desirable, we need not much care, whether the increase will exceed the limits recommended by the Franchise Sub-Committee.

In the beginning of the last reforms, Sir Beatson Bell wanted to introduce what was practically household suffrage by enfranchising all who were assessed to chaukidari tax in Surma Valley and Goalpara and equivalent qualifications in Assam. I think it is now practicable to give effect to that ideal.

Chaukidari tax is assessed in the name of the headman of the family. Almost every household (except the very poorest) is so assessed. This will give us at least one voter in each family, mostly males, but in some cases females also. This will give a larger proportion to the Muhammadans than the Hindus, as there are more joint families among the Hindus than among the Muhammadans. At present, those who pay Re. 1 as chaukidari tax per year are enfranchised.

The minimum chaukidari tax paid appear to be annas 6, annas 8 or 9 annas a year. The next stage is either 10 annas or 12 annas per year, the third stage is annas 14, annas 15 or Re. 1 and so on.

It appeared further that in many circles, the stage is either 14 annas or 15 annas and not Re. 1 so that if the minimum be lowered to annas 14 or annas 15 there will be substantial increase.

12 annas as minimum will bring in about more than half the families.

In those rural areas, in which there is no chaukidari panchayat system, the minimum qualifications are assessment of land revenue of Rs. 15 per annum or payment of local rate of not less than Re. 1 per annum. As the chaukidari tax is in vogue both in Sylhet and Goalpara, in which there is permanent settlement, the last rule is applicable to temporarily-settled areas only, and in those areas, for an estate assessed to Rs. 15 as land revenue, the local rate would be 15 annas.

This system would give separate votes to each member of the joint family provided the revenue or local rate payable in each share is Rs. 15 or Re. 1, respectively. The minimum franchise qualifications may now be reduced to Rs. 5 a year as land revenue and annas 5 as local rates, and this qualification may be made an alternative qualification for Cachar and the temporarily-settled areas in Sylhet and Goalpara. It may be provided further that, where in a joint family, the revenue and rate payable in the share of each member is less than the minimum, the member of a family may be permitted to nominate as electors so many from among them, as the land revenue and local rate paid jointly would allow.

For urban areas, the qualifications are payment of not less than Re. 1 a year in a union (not a full-fledged municipality) or Re. 1-8 in Sylhet Municipality, Rs. 2 in Nowgong Municipality and Rs. 3 in all other municipalities and cantonments.

I think the franchise can safely be and should be extended to all who are assessed the union, municipal or cantonment taxes or rates. The increase in the number of voters thereupon would not be much.

So far the lists would be prepared and checked by the same method as now and there would be no administrative difficulty in the preparation, maintenance and revision of the electoral rolls.

The increase in the electoral rolls of municipalities hereby suggested would not alter the character of the constituency or that portion of it. The electors in the municipalities, generally cast an intelligent vote and the new class of electors would not be less intelligent.

The same remark applies to new rural voters. The poorer among the

Memorandum by Rai Bahadur SATIS CHANDRA DUTTA. [*Continued.*

cultivators and day-labourers are not less intelligent than others of the same class who are already enfranchised. They are quite capable of giving an intelligent vote, if they are properly approached and instructed and left to themselves, but the introduction of household suffrage will greatly increase those elements (already existing) who are usually dependent upon others, and cannot dare to give an independent vote in the absence of an effective ballot for illiterate people. But the voters are becoming more and more independent, and while the influence of educated people on whose intelligence, wisdom and patriotism people in general have great confidence, can never be absent and cannot be a matter of complaint at all, there is less and less thwarting of the wishes of the people by the over-riding actions, the browbeating land oppression by the zamindars and money lenders and others. And it is generally believed that when people have once been influenced to give a promise, they have generally kept it. It is possible that money in some cases has helped to undermine the influence of the zamindars or the money lender.

Influential agents and canvassers have usually demanded more money and possibly some voters also shared in such distribution, when people found nothing to choose between the rival candidates as regards principles and the fight was one of personal ambitions. It is also possible that the Swarajists were given more credit for patriotism or as promoting the good of the country, and the demand for money from the opposite camp was sometimes much heavier, but some Swarajist candidates are also believed to have spent money very lavishly. Votes have been cast on various considerations, the local influence of the candidates, the party principles of the candidate, the personality of the candidates, local influence of the canvassers and agents and failing all this, money. The great bulk of the money goes to the agents and canvassers and only a small portion to a very small member of the voters.

In fact, all the excellences and blemishes, all the virtues and vices of the electoral system, as have been noticed in England and other European countries, from earliest times, have already manifested themselves here, and the thing of which we need be the least anxious is the intelligence of the electors.

As to direct or indirect corruption, there is already great revulsion of feeling about spending money lavishly in contested elections, but it is not likely that people will refrain from contests when great interest will be at stake.

Corruption can be checked, when it will no longer be possible, on account of increased numbers, to approach the electors individually, but they can be approached only in the mass by public addresses in meetings or through the press.

While I would thus admit practical household franchise and try to give at least one vote to each family. I cannot overlook that thereby, there would be sudden transfer of power from those who have some status and who would be disinclined to suddenly and thoughtlessly disturb the existing basis of society to those will not have as great a fear to take risks and support cataclytic changes. I, therefore, propose a counterpoise by greater weight to more substantial classes by a system of franchise that would bring in other members of the family. I would not recommend a mere literary test to bring in large numbers of students and the educated unemployed, except in the limited extent already operative in the case of municipal franchise.

I have already indicated that ownership of land may be such an alternative qualification to bring in other members of the family and I have also indicated the limits as regards lands periodically settled in which the settlement holder has the status of a landholder, with permanent heritable and transferable right of use and occupancy.

Memorandum by Rai Bahadur SATIS CHANDRA DUTTA. [*Continued.*

As regards the ownership of revenue free or permanently-settled lands, the minimum qualifications must be much lower, as the land revenue is very low sometimes lower than the local rate, and the land is consequently more valuable. Until recently a bigha of such land was worth Rs. 400 to Rs. 500 and even in this year of universal depression, it would be worth Rs. 200. The ownership of even a bigha of such land would be a sign of opulence or a past opulence in a cultivator. The local rate for an acre is two annas only. Unless the rate of local rate is increased, I would fix payment of six pies by an individual as the necessary qualification. The other alternatives would be either payment of annas 8, land revenue or ownership of at least 1 bigha of land as proprietor or permanent tenure holders, with the same proviso as in the case of joint family ownership of temporary-settled lands, for nomination of representatives to the extent allowed by the amount of revenue or rates of the quantity of lands, when division among the joint owners would not confer any franchise on any one.

In the absence of records of rights, the preparation of such lists would not be as easy as in the case of temporary-settled areas, but there is no insuperable difficulty. It can be tolerably accurately done by the village panchayat, provided it is not left to the Sarpanch alone, but is required to be done conjointly by all the members of the panchayats. It is not at all a difficult matter in a village. In case of disputes before the revising authority, either for wrong omission or wrong inclusion, the matter would be easy of proof, by the production of revenue challans or title deeds. This would bring in a good number of peasant proprietors and the proportion of females would be greater in the case of Muhammadans than in the case of Hindus, though greater subdivision among joint owners among Muhammadans may reduce their numbers to some extent.

To compensate for this and also to meet the case of substantial tenant farmers who have no proprietary lands, I would make payment of Rs. 10 as cash rent, exclusive of *bhag* paddy and *chukti* paddy rent (which are generally rack rents) as another alternative qualification for occupancy tenants with the same proviso as regards co-sharers tenants in a joint family.

The other alternatives would be holding some office or carrying on some profession.

I would recommend admission of (1) Advocates, (2) Pleaders, (3) Muktears, (4) Revenue agents, (5) Medical practitioners including Kabirajes, and Hakims, (6) qualified engineers, (7) other professionals, under some suitable system of registration.

I would include all Government servants, at least those whose salary is Rs. 30 or upwards.

I would include all professors, lecturers, or teachers, whether in Government or private institutions, including teachers of primary schools, *tols* and madrasas. Of course, I would include all members of the local bodies, municipal and local boards and village authorities and the panchayats, in their own rights, as also their servants, with the same limits of pay as in the case of Government servants. If constables, Government peons and others are admitted, I would also admit the village chaukidars.

Members of the managing bodies of co-operative organisations may be so admitted.

I would also admit servants or private persons and private institutions including mercantile offices, provided there is proper registration, but a minimum of pay of Rs. 15 a month should be insisted upon.

In this scheme, some provision ought to be made for traders and shopkeepers.

It will be seen, that my scheme would include the head of the joint

Memorandum by Rai Bahadur SATIS CHANDRA DUTTA. [*Continued.*

family of cultivators and would include other co-owners of the holdings provided certain standards, as to revenue or rent or area was reached, but exclude grown-up sons who would assist in the cultivation. I would make similar provisions for traders and would allow the joint owners to nominate one representative elector for every Rs. 400 of working capital, unless all were entitled on divisions. I do not think we should at once include all grown-up workers, day labourers, or agricultural servants or artisans, except on the household suffrage system, but in big firms, it may be possible to enfranchise the grown-up sons, who managed them, provided that the accounts showed certain allowance, in their case, of the same standard as the salaries of private servants who would be similarly enfranchised. Active artisans, like masons, carpenters or smiths, builders of houses whose earnings would be of the same standard may also be enfranchised. The labour for compiling such registers would be other than mechanical, but would not be such as would be difficult to surmount.

In practice, more than one qualification would apply to a great many and the doubtful cases would not be so large. In practice, it would be impossible to separate the service holders of the shopkeepers or artisans from either ownership of land or cultivation.

I have no means to calculate, but my guess is that my scheme would include at least 20 per cent. if not 25 per cent. of the population.

(*b*) I have no doubt that such an electorate would be capable of casting an intelligent vote.

(*c*) & (*e*) I consider that not only a ten per cent. electorate, but a larger electorate, as I have suggested, would be administratively manageable. I have already discussed the question of arrangement for the preparation, maintenance and revision of the electoral rolls, and recording and counting of votes also would not be difficult.

With the official *bloc* and the large nominated elements gone, it should be possible to treble the number of general constituencies and so largely reduce the size of the constituencies. Still we shall have to provide larger number of polling centres, but this should not be considered unmanageable. Honest and reliable private agencies, outside the official ranks, would be available for the purpose, sources that have not yet been utilised.

(*f*) I do not say that such a group system would not be feasible, but I cannot but disapprove of it for more than one reason. I see no advantage in the system proposed, and my recommendations give more effective representation to the poorer classes and are calculated to secure all the advantages of the group system and avoid indirect election. I cannot support any considerable amount of indirect election for representation to the Legislative Councils or the Legislative Assembly.

Were the group system to be introduced, and the group electors included in the general electoral rolls, the roll would include one elector for every 20 adults but my recommendations would secure one elector in an average family of 3 to 5 adults.

I would not support the scheme of group electors constituting separate constituencies.

In my note on representation of depressed classes, I have discussed the disadvantages and dangers of the design in which those who were not enfranchised before, lacking in political experience, and who are poorer than the others constituting separate electorates instead of being absorbed among the electors who were previously enfranchised and had comparatively speaking more political experience. Large extension of franchise must always produce more or less a situation of political crisis but in every country the new class of electors have been mixed with the old. When the females have been granted votes, they have not been given special constituencies to be represented by females alone. These considerations apply to this suggestion

Memorandum by Rai Bahadur SATIS CHANDRA DUTTA. [*Continued.*

of group representation. There is no reason why such a dangerous experiment should be tried in India. If group electors are to constitute separate constituencies, they must cover a comparatively wider and generally unmanageable area.

My main objection is that an indirect system would not be representative, except on the caucus system.

It is inevitable that the prospective candidates, whether from the general constituencies, or from separate group constituencies, would not rest content with approaching only these representatives, but would approach the primary voters to secure nomination of representatives who would pledge to support them, so the disadvantage of a candidate having to approach a very large number of voters in an unwieldy constituency would not be removed and the trouble and expense of double election campaigns will be added.

Were the result otherwise, the question of the candidates not being in touch with the constituency is not solved but only evaded, for the real constituency is the primary voters, and a candidate being only in touch with the group electors, would not be in touch with the constituency, *i.e.*, the primary voters whose interests he is supposed to represent. Unless the group electors were elected on the ticket of particular candidates there will be no guarantee that the group electors will really represent the wishes and desires or the interests of the primary electors.

It is also to be borne in mind that according to the present qualifications or on any degree of extension of franchise, short of adult suffrage, such primary electors for groups, not having direct vote, shall come from all classes of people, high and low, rich and poor including a very large number of females and students, and there would be no advantage in grouping them together in one system of group representation, and so this system must lead to several constituencies on a further class division. We must avoid all such outlandish and chimerical innovations that cannot be considered as good for the country, for the progress of its people and their unity as a nation.

The idea apparently is, that if adult suffrage be not practicable, and if on a system of property qualifications the poorer classes, cannot get the same weight in representation as others who would be qualified, they should get some representation, though not according to the strength of their population. I have already pointed out that these proposals enfranchise other than poorer classes but even if confined to the poorer classes, the representation that they would secure is likely to be so small, as was indeed explained by the sponsers of the proposal; that such representation would serve them no good. Their representatives would be without much weight upon others. The poorer classes, if included in a general constituency, in the manner, as I have indicated, would be able to exercise far greater influence in the elections, and upon the choice of all the members from all the constituencies, and the members generally would be more mindful about the protection of the interests of these poorer classes, as their votes must count in all elections and they would be able to extort effective pledges.

Lord Zetland first adumbrated this proposal in the Franchise Committee, and he points to the difficulties of travelling and including voters from rural areas to come and vote and he stressed the fact that representative men might come and vote. But it is easy to magnify these difficulties. At least in Assam and specially in Surma Valley, the constituencies are much smaller than those in Eastern Bengal, and are going to be further reduced in size, and the polling arrangements are also much better I understand. In contested elections about 50 to 60 per cent. of voters have voted. So there is not much reason for disturbing the present system of direct votes which have worked tolerably well and replaced it by an indirect system of voting, either in whole or in part. Then Lord Zetland referred to the headman or *mukhi.*

Memorandum by Rai Bahadur SATIS CHANDRA DUTTA. [*Continued.*

It was a very crude notion of his—a headman or *mukhi*, not of a whole village (as Sir P. C. Mitter suggested) or of a community, but of a group of 20 poor men, whose property qualifications would not entitle him to a vote. There would be no such headman or *mukhi* for them alone. A headman or *mukhi* would be at least of higher economic, if not otherwise, higher social status, and would be directly qualified to vote, quite undistinguishable from the other voters in the general electoral roll, and there would be no sense, in constituting them into a separate electorate.

In case separate constituencies on the group system be introduced, I would not favour the proposal that only group electors should be qualified to stand as candidates for such constituencies. Suitable candidates would not be forthcoming, unless the educated unemployed, not having enough property qualifications sufficient to give them direct vote, were included in the same group with others.

2. FRANCHISE QUALIFICATIONS.

(*a*) As I have pointed out, there are greater number of unenfranchised in rural areas than in the towns (municipal areas) and important bazars. This arises out of the fact that the assessment of the chaukidari tax, the basis of the franchise is very low in rural areas, the minimum of Re. 1 being comparatively higher than the minimum municipal taxes for franchise, which varies from Re. 1-8 to Rs. 3 and that the town people are generally more prosperous than people in the rural areas. This disparity must remain more or less, as long as the electoral system is based on high property qualifications and even Re. 1 chaukidari tax is a very high property qualification. The incidence of chaukidari tax also must vary from circle to circle, as in bazar areas and other rich areas, the rich people are taxed higher, rising up to Rs. 2 or Rs. 3 and the poorer among those circles would be taxed very low, whereas in those rural areas, where the disparities in economic conditions of the people are not so great, the chaukidari tax is more evenly distributed and larger number of people would get the franchise. Excepting two or three, all the towns in Assam are of recent growth, being only administrative centres, consisting mostly of Government servants and legal practitioners, with a bazar area and some *bustees* near by, whose people, on account of their proximity to trade centres, are more or less engaged in trade. Most of them are not permanent residents of the town areas, but have their homes in rural areas and have cultivation or lands. There is practically no other disparity except that arises out of the temporary occupations of the town dwellers, whose main interests would still be rural,—lands, cultivations, rent. There is no marked divergence of interests between those town dwellers—and those who live exclusively in villages. The town dwellers have only this much influence in the elections, that being trained in politics, they would readily go to the polls in greater numbers than the rural population and canvassing in mofussil is more expensive and difficult than in the towns and a candidate who has greater support in the town has some initial advantages, but a town can hardly turn the scale, as its voters would not be more than 1/15th to 1/10th of the entire constituency, and in a constituency of 18 to 26 polling centres in this valley, only Sylhet and Silchar towns, I think, have two polling centres, while all the sub-divisional towns have only one polling centre for it.

Whatever disparities there may be in this respect, my recommendations will greatly minimise the same.

(*b*) I am not in agreement with this suggestion. I do not understand in what sense the word community is used and I cannot understand how this may be practicable. Much will depend upon in what sense the word community is used. The suggestion is opposed to the guiding principle that in a particular area, the voting qualifications for all communities must be the

Memorandum by Rai Bahadur SATIS CHANDRA DUTTA. [*Continued.*

same. The property qualifications being the same, the Hindus or the Muhammadans cannot get the same proportion as the Christians or the Europeans. As between the Hindus and Muhammedans, the disparity in economic conditions is not so great, but so far there are unequal economic conditions, complete proportionate equality in voting strength cannot be secured, whatever may be the property qualifications, and I understand that on account of different social and economic conditions, even adult suffrage will not secure complete equality, but my recommendations fixing a very low property franchise, will reduce such disparities to negligible proportions.

(*c*) The chaukidari tax or municipal tax (including taxes by a village authority) is an index of worldly circumstances and should be retained as the basis of the franchise, but I have suggested other property qualifications, including possession of some capital or having certain income or wages, as I consider that possession of property is a suitable test of fitness for the franchise. I, however, do not consider the existing qualifications as exactly, suitable and I have indicated what modifications I want in section 1.

(*d*) I am not in favour of introducing a qualification based on education, independently of property, except in the case of existing education franchise in the municipalities. My recommendations would bring in a large body of literates and educated people. I am not in favour of checking adult suffrage by a literacy test.

(*e*) I am in favour of retaining the existing military service qualification and extending it so as to include service in the Auxiliary and Territorial Forces.

3. WOMEN'S SUFFRAGE.

(*a*) I am in favour of raising the age limit to 21 for men as well as women. I have already noted my views against a purely educational qualification.

As there are differences of opinion, I would not recommend acceptance of the proposed additional qualification for females only, and I would myself stress that there should be no differential treatment between men and women as regards franchise qualifications. I, therefore, cannot agree to give the widow any franchise, except on the strength of possessing the prescribed franchise like others. Among Muhammadans, the widow would inherit a share in the properties and may be thus enfranchised. Among Dayabhag Hindus (*i.e.*, in Bengal and Assam) also the widow would inherit if there were no sons.

Of course, the position may be theoretically equal, if the wife of a qualified husband, and the husband of a qualified wife, are equally allowed franchise on that ground, but the question remains that if we enfranchise the wife or the mother, who works at home, on what ground can we refuse to enfranchise the grown-up sons who work in the field and shops of their fathers or the wives of the sons, who equally work at home? On what ground then can we refuse pure adult suffrage? It is also to be considered whether at this stage we can enfranchise a large number of females in this way, without cutting away a large number of lower class people, male and female, altogether from any franchise, by raising the property qualification to a standard higher than I have proposed, *i.e.*, whether, this special women franchise would not be at the sacrifice of the representation of poorer class.

Even the very low property qualifications I have proposed would secure certain preponderance for the comparatively prosperous and higher classes, and the proposed franchise for women would add to this preponderance and the proposed educational qualifications would still further add weight to the scale of upper class representation. Specially as I am opposed to separate electorates, I must oppose these measures. Equal franchise cannot give equal representation.

(*b*) If group representation be adopted, there is no reason why women should be excluded, if group system be based on adult suffrage basis.

I cannot support separate groups for women. I am against such divisions on the ground of religion, caste, sex or colour.

4. REPRESENTATION OF THE DEPRESSED CLASSES.

I have expressed my views as to the representation of depressed classes in a separate note, communicated to the local press and submitted to the Government of India. I shall submit a copy of the same, as soon as I am able to prepare other copies. That note may be considered as part of my answers to this questionnaire.* When the people of classes who may be considered as depressed are included in a general electoral roll, certainly those who will vote for the candidate who is successful, will get a representative of their own choice. There is not one united, depressed class, and it is not likely, that any so-called depressed class or any class will be of one mind as to their proper representative. What is necessary is not that each small caste or community should have a representative exclusive to them but they should have their influence in the selection of representative of a particular locality and the extension of the franchise that I have recommended will give due weight to the so-called depressed classes, and what is still better will give preponderance to those who are not *bhadralogs*, *i.e.*, to cultivators, artisans and labourers combined, without counting petty shopkeepers. Of course, in a general electorate, each caste will not get their choice, if they were anxious to secure representatives from their own caste only, but there is no evidence of such desire. And in a general electorate of depressed classes only, each caste cannot get a representative of their choice except in the sense I have explained, only the field of selection will be narrowed down. But if the cultivators combined to get such a candidate returned who would protect their interests, they would be successful in securing the result. It is no good teaching them that they must consider their interests as diametrically opposed to those of others, and that they should never be happy unless they secured the return of candidates who must be obnoxious to other communities and would not get their votes. For the reasons given in my separate note, I am opposed to sub-division of the Hindus according to castes for Parliamentary representation and I am opposed to their separate representation, either by separate constituencies, or by reserving seats, or by nomination.

I also do not want any group representation on their account. It would be distasteful to them and injurious to their interests. There is no reason why members of these so-called depressed classes, who would be entitled to a place in the general electoral roll, should be deprived of the privilege, and why these classes should lose the opportunity of influencing the election in all the general constituencies, by exercising their votes in such a way as to make the representatives respect their wishes and protect their interests, or of associating with other communities in securing common objectives and sending a representative who will protect these wider objectives.

I would create separate constituencies for the tea garden areas, to give representation to labour by adult suffrage. I would also give one member each, for Garo Hills, for the British portion of Khasi and Jaintia Hills (outside Shillong) and the North Cachar Hills, on adult suffrage so that the primitive aboriginal inhabitants of these backward areas may be predominant in the elections, but the electoral rolls should be joint for all communities.

5. REPRESENTATION OF LABOUR.

In Assam there is no big industrial area. The agricultural labour is inseparable from the main agricultural population, and so there is no

* Not printed.

necessity for separate representation of labour except for tea garden labourers. They do not pay chaukidari tax or any direct tax and do not fall within the franchise system. In my opinion, these tea garden areas should be separate territorial constituencies, on the basis of adult suffrage. The neighbouring *bustees* of the *ex*-garden labourers may be included in these constituencies. The constituencies would be mainly labour, and would also include the few clerical employees of the gardens. I, however, would not include the superior management, the managers and their assistants who would represent the interest of capital, but representation should be confined to those who would specially represent labour interests and a system of certificate may be devised for that purpose. I would give at least two seats in the Surma Valley and 2 seats in the Brahmaputra Valley to tea garden labour and special representation should be reduced. If, however, special representation for capital be abolished, the representatives of capital also may be allowed to contest seats in a joint constituency, and try to get in by their influence over their labour, by being their leaders.

II.—THE FEDERAL LEGISLATURE.

(*a*) There is nothing incongruous in the Upper Chamber in a Federation being elected by the Provincial Legislatures, but it is a mere fundamental requirement in a federal constitution that all the units should be similarly represented, and if the states agree that all the states entering the Federation will have popular legislatures and their representatives in the Upper Chamber will be elected by these legislatures, then this system may also be adopted for British India. But in case the state representatives are nominated by their Governments the provincial representatives should be nominated by the Provincial Governments, though election by legislature in itself, would be a better system than nomination by Governments. But there are difficulties in either solution from the stand point of the states. There are a very large number of petty states, and all the states cannot be expected to return a single member to the Upper House. There must be some combination for representation. Either several Governments may jointly elect a representative by consultation or they each may elect delegates for electing a representative, or they may have a joint legislature, or their separate legislatures may contrive a joint sitting or may elect delegate to a joint committee for the purpose. Many difficulties are to be surmounted in their case, and after all they may devise a system of direct election even to the Upper House.

In view of these considerations, it would be better in my opinion to defer decision for British India, till the position of the states are clarified.

I consider it extremely unwise and greatly injurious to the best interests of the country to make different provisions for the states and the provinces in these respects and attempts should still be pursued to settle these problems jointly for the states and British India.

Another reason that prompts me to urge postponement of this consideration is that the communal tangle is not yet solved.

Freed from such considerations, I am of opinion that the Upper Chamber should be partly directly elected by different special constituencies or communal constituencies, partly elected by the provincial and state legislatures, partly nominated by the Provincial and large sized state governments and partly nominated by the Central Government. The Upper Chamber should be representative of wealth as well as of culture, should combine administrative and judicial experience, as well as high legal and other professional talents and should also be representative of interest of special classes or communities. I am myself opposed to communal representation in any shape or of any special constituencies in the Legislative Assem-

Memorandum by Rai Bahadur SATISH CHANDRA DUTTA. [*Continued.*

bly or in the popular provincial chambers but I would provide for them in the Upper House and would on that account also propose Upper Houses in the Provincial Legislatures.

(*b*) I do not consider that the franchise qualifications ought to be different for the Federal and Provincial Legislatures. The franchise for the Assembly should be as low as the popular provincial chamber. The franchise I have recommended for the Assam Legislative Council, I also purpose for election of Assembly members from Assam. The specification of qualifications may be different in different provinces but we should aim to make the standards the same, provincial qualifications being equivalents. The Central Legislature should have power to regulate their own compositions ultimately.

(*c*) I am against indirect election in any form for the Legislative Assembly.

(1) The financial reasons assigned by the Simon Commission have not appealed to me. The financial proposals themselves are unsound, wherein the Finance Minister, is required to introduce financial proposals, for which there may not be adequate backing, without being himself responsible for the same and which he would be free to oppose thereafter.

(2) The financial scheme would not be successful.

(3) There is no reason to suppose that the members directly elected would be less interested in the financial and other proposals affecting their provinces or would be less in touch with the people of the province than members elected by the Provincial Legislature.

(4) Under the altered stave of things, there would be no need for contribution from the centre to the provinces. The proposal is now for contribution from the provinces to the centre. It is a matter devoutly to be wished that both the centre and the provinces could be made self-sufficient in the matter of finance and there would be no need for contributions or doles from one or the other.

(5) As I have already stressed, the problem of members being in touch with their constituency is not solved but only evaded by a system of indirect election. There is no reason to suppose that the present day members are not in touch with the constituency. At least they have to face the people of the constituency at the time of election and they would be bound to maintain this touch, through their local organisations. In a system of indirect election for the Legislative Councils, the members would not be in touch with the people of the constituency as they need not be approached.

(6) Indirect election for the Legislative Councils, which would be enlarged, would not necessarily work for greater purity.

(7) Indirect election for the Legislative Councils would introduce greater complications into the politics of the Provincial Councils by the introduction of Central problems in their midst, and the election to the Provincial Councils would be affected and swayed by considerations other than interests of provincial administrations.

(8) If the Assembly, to which the Federal Government would be responsible, is elected indirectly in the Provincial Legislatures, the Federal Government and Legislature would be very remotely in touch with the people of the provinces and would, therefore, be weaker than the Provincial Governments and Legislatures, and the members of the Legislatures may be more swayed by provincial considerations than Central interests.

(9) The difficulties of direct election by larger constituencies must be faced. The difficulties cannot be removed by indirect election through group system or electoral colleges.

(10) As I myself was a candidate for Legislative Assembly seat for Surma Valley *cum* Shillong and went through a three cornered contested election,

Memorandum by Rai Bahadur SATISH CHANDRA DUTTA. [*Concluded.*

I am not unmindful of the difficulties and expenses involved and have also the necessary experience as to how these difficulties are to be met and overcome. In almost all polling areas, except in some difficult parts of Sunamganj the voters were personally approached and there were representatives in all polling centres and about 50 per cent. of the voters came to the polls. The difficulties would not be less in indirect election through group system or electoral colleges, for the prospective candidate shall have to manage these primary elections and the expenses would be greater.

(11) The separate communal electorates must involve larger electoral areas, and though the constituencies may be single in name, in essence there would be plural number areas, and plural constituencies must continue in any view.

(12) The increase in the size of the elected legislatures both central and provincial, must lessen the difficulties to a considerable extent.

(13) We should boldly face all difficulties in connection with enlarged legislatures. A larger legislature would not be so unmanageable as larger constituencies.

(14) The Federal Legislative Assembly should be further enlarged and the seats should be distributed in accordance with population. There should be no weightage for particular localities or communities. Otherwise the difficulties about the constituencies cannot be met.

(15) The weightage given to the states in the proposed scheme has increased the difficulties. The scheme of representation of British India by 200 members in a house of 300 members is inadequate.

(16) Seven members cannot adequately represent the various localities in Assam and cannot also represent the interests of communities in proportion to population in case communal constituencies were retained. Surma Valley ought to get half the allotted numbers, but this is not possible with 7 allotted seats. Were one seat given to Europeans and Surma Valley non-Europeans were to get 3 seats, there cannot be complete division between Muhammadans and non-Muhammadans, but one seat may be reserved for Muhammadans and one seat for non-Muhammadans or Hindus, and one seat may be competed for by all, in a joint electoral roll.

(17) There should be at least one representative for a million of population, and in that case, the total strength of the Assembly should be 350 of which British India should be allotted 262 seats and the states 88 seats. In that case Assam should get at least 9, if not 10 seats and Surma Valley should get at least 4 seats, equally divisible between the Muhammadans and non-Muhammadans (other than labour) and one seat may be given to labour in Assam, and one seat to Brahmaputra Valley Muhammadans and 3 seats to Brahmaputra Valley non-Muhammadans.

(18) In my opinion the total seats should be 700, of which British India shall have 512 and the Indian States shall have 188 members (a number more adequate for representation of smaller states). In that case Assam should get 18 seats, if not 19 seats. All difficulties about unmanageable constituencies should then be solved. This would give one member for every 50,000 of population.

(19) An intermediate scheme would be one member for every 70,000 population.

7. REPRESENTATION OF WOMEN, LABOUR AND DEPRESSED CLASSES.

I have nothing to add to what I have stated regarding the Provincial Legislatures. The industrial, the planting and mining areas, should be separate territorial constituencies.

Rai Bahadur SATISH CHANDRA DUTTA, Government Pleader, Sylhet.

1. *The Chairman :* You come in your personal capacity ?—Yes.

2. You do not represent any association ?—No.

3. You have given us a complete memorandum and I do not think we would ask you to supplement it. There is only one question I want to ask. You say in your memorandum, as regards the group system: "I see no advantage in the system proposed, and my recommendations give more effective representation to the poorer classes". Would you explain how your system gives more representation to the poorer classes ?—Because I recommend a household franchise, that is one elector from a joint family, and I calculate that the adult members of a joint family will not exceed five, whereas in the group system the lowest number suggested is 20. I bring in one elector for every family in my system.

4. You mean to enfranchise every household on its assessment ?—Yes. So far as the Surma valley and Goalpara district are concerned the assessment of chaukidari tax is the basis of qualification. The assessment is paid by the head of the family, and if we provide that every person assessed to chaukidari tax is qualified, we may bring in at least one member from each family, except beggars and others who have no house or property of their own.

5. What proportion of the people of a village pays the chaukidari tax now ?—Almost everybody except a few widows who have no male member to support them, decripit and blind people, etc.

6. *The Hon'ble Mary Pickford :* In your statement you say "Even the very low property qualifications I have proposed would secure certain preponderance for the comparatively prosperous and higher classes and the proposed franchise for women would add to this preponderance and the proposed educational qualifications would still further add weight to the scale of upper class representation". How would you reconcile this statement with your statement that you are, under your scheme, attempting to give better representation to the poorer classes than under the group system ?—Because everybody is brought in under my scheme. The idea so far as I have understood the group system is that only one elector is to be selected as a secondary by 20 primaries. But in my scheme those who are directly qualified according to property, the heads of families, would come in.

7. Then, do you agree that the system you suggest gives better representation to the prosperous classes and not to the poorer classes ?—No. Supposing we give a special franchise to women, or adopt any franchise other than adult franchise, it would inevitably stand in the way of lowering the franchise, so that the poorer classes would be excluded thereby. If you add special qualifications for females and restrict the extension of franchise to 20 or 25 per cent., that would prevent us from sufficiently lowering the qualification and it would prevent the poorer classes coming in. That is to say, if the wives and widows of those entitled to be entered in the list according to property qualifications are given the vote, only the propertied or prosperous classes would come in, but not the poorer classes at all.

8. On the whole under your system you want the poorer classes to wait until the franchise is levelled ?—I want to bring about a sort of adult franchise. We must draw the line somewhere: and the franchise I have proposed is sufficiently low in order to enfranchise at least 20 or even 30 per cent. of the population.

9. *Mrs. Subbarayan :* You are opposed to the introduction of an educational qualification and you are opposed to the introduction of any special qualification for the enfranchisement of women ?—Yes.

10. Don't you think that the women's voting strength will be very small compared with that of the men ?—Yes. I quite admit that. As the next step short of adult franchise, I must draw the line somewhere.

11. Don't you think it is necessary that women should have an adequate voice in elections ?—Only after the next ten years will there be adult franchise. Till then they have to wait because the members of their family are already enfranchised. If they cannot directly vote, they can exercise influence in the matter of the vote. One must draw the line somewhere in the matter of extending franchise.

12. *The Chairman :* You believe in the indirect system in some form anyhow.

13. *Mr. Butler :* Are you in favour of having a second chamber for this province ?—I am in favour of a second chamber and I think under certain conditions a second chamber is more necessary for Assam than for any other province with certain limitations, provided special representation is excluded from the lower chamber and there is national representation therein.

14. How would you constitute the second chamber ?—I would constitute the second chamber partly by election and partly by nomination.

15. I ask you because you make important suggestions at the bottom of page . There you make public service as the basis for the right to vote. Would you like to develop that as a basis for franchise for the upper chamber ?—I would not do that. That is for the poor people.

16. In the event of our adopting a different system it seems to me that it is a very fine idea ?—I have given some ideas on the second chamber with reference to the Federal Legislature.

17. *Dr. Ambedkar :* I find you have written a very exhaustive note on the depressed classes.—Yes, that is a kind of review.

18. Do I understand you correctly when I say that as a result of those discussions into which you have entered in this long note, your conclusion is that in this province so far as the depressed classes are concerned no special representation at all is necessary in the Legislature ?—Yes that is my conclusion.

19. Is that conclusion based upon the finding that there are no classes who can be termed depressed classes in this province or is it founded on the fact that ordinarily they will be able to obtain representation from the general electorate ?—The basis of my conclusion is that the lowering of the franchise would enable them to influence the election and get into the Council.

20. Would they be able to send their own men ?—I do not understand you. Except that they suffer certain disabilities, I won't call them depressed.

21. Do you suppose that the depressed classes will be able to send depressed class candidates to the Legislature in the general electorate by reason of the lowered franchise ?—In certain places they may. If they combine they can do so. But the combination may be difficult because there are so many different castes among them. But it is possible for them to send their men if there is a really good candidate.

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22. *Khan Bahadur Aziz-ul-Huque :* You have been a student of constitutional history and politics. By what principle do you justify separate constituencies for labour when you do not advocate separate constituencies for castes suffering under disabilities ?—Because first of all, my attitude is that I should not give special representation in a national electorate. I would attach more importance to the economic division than to the caste divisions.

23. Your objection to the group system is based on the fact that you do not think it would be representative ?—Yes.

24. And you seem to be of the opinion that the representation that the masses would secure would be very small, is it not so ?—Yes.

25. On what basis do you say that ?—That is what I have heard from the sponsors of this proposal. That is also the proposal of the Simon Commission

and that was also the trend of the discussions of the Franchise Committee.

26. Roughly I think I am right in saying that at present the directly qualified electors number 280,000, and roughly the adult population would be 3 millions. If you divide this adult population by 20, you would get 150,000 secondary electors. On that very rough basis you may observe that we can secure a very substantial representation for the great masses of the people who would otherwise be without the franchise ?—You say that there should be separate constituencies. You have to assume that there would be separate constituencies for them. I have great objection to that.

27. I do not suggest that at all. But I suggest that in view of the large number of secondaries, the masses may get representation?—But those secondaries will be scattered in different areas and constituencies.

28. You say they will be over-weighted by the 280,000 direct voters ?—No, no. My idea is that the number of the direct voters must be increased. By lowering the franchise the number of direct voters will be increased.

29. In view of the figures I have given you, would you not agree that your opinion that classes who are otherwise unrepresented would not get representation in the group system, is not in accordance with facts ?—I would not agree.

30. But you admit that your proposals would secure the franchise for a preponderance of the comparatively prosperous and higher classes ?—No. I say that the lower classes would be admitted in sufficient numbers to influence the elections.

31. I gather that you have a friendly or a sympathetic feeling towards the group system and on a balance of opinion you are rather against it, is it so ?—I am dead against the group system, I have no sympathy with it.

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32. *Srijut R. K. Choudhuri :* If you have an upper chamber in your provincial council, would you not give special representation to landholders and so forth ?—Yes.

33. *Mr. Sarwan :* You have said here that the European Managers and Assistant Managers will have their separate constituency ?—Yes. I want to include in that constituency of tea garden areas every body connected with labour—those who are considered as labourers—except those who have a special constituency.

34. But in that case, the labouring class will have practically no chance because they are very backward and could never come in. They should have a separate chance among themselves. They should choose persons who can represent their interests from their own ranks. Would you not have a standard by which you could judge who are the labouring classes ? I want to know whether you would include in the clerks, Englishmen, Bengalis and the Assamese who do not come from the areas from which the labourers are recruited ?—There is no question of making any distinction between employees.

35. *The Chairman :* Is your point this: that if you are going to have representation from labour, it must be by labourers themselves and you say that this witness says that they could be represented by capitalists also ?—There should be no restriction as to the choice of the candidates. There might possibly be devised as the Simon Commission suggest, some system of certificates from the Governor as to the fitness of the candidate to represent the interests of labour.

Memorandum submitted by the ASSAM PROVINCIAL HINDU SABHA, Nowgong.

I.—PROVINCIAL LEGISLATURE.

1. EXTENSION OF THE FRANCHISE.

(*a*) For securing the enfranchisement of 10 per cent. or more of the popu-

lation, the existing franchise qualifications should be considerably lowered, and the following tests be adopted to secure that result—

(1) All persons of either sex paying an annual land revenue of Rs. 5 or Municipal tax of Rs. 2 be enfranchised,

(2) All persons holding Middle School or Junior Madrassa certificates be given the right of voting,

(3) All wives, or widows or mothers of electors be enfranchised,

(4) All persons paying income-tax be made an elector,

(5) The existing Military qualifications be retained and service in the Auxiliary and Territorial forces should also be a qualification for enfranchisement.

In all cases, the age of the elector must be 21.

The qualifications proposed above will enfranchise at least 10 per cent. of the population and may even go above that. The Assam Provincial Hindu Sabha is in favour of enfranchisement of more than that number of population.

(*b*) Yes. They will be capable of casting intelligent votes.

(*c*) Yes. It will be possible to manage it. Only some more expenses will be required and more polling centres will be necessary—say one centre for each mauza.

(*d*) Does not arise.

(*e*) The Assam Provincial Hindu Sabha is in favour of adult suffrage but does not plead for it being not practicable at present. The qualifications of electors proposed above, are expected to enfranchise more than 10 per cent. of the population, and the Sabha thinks it will do for the present. In the opinion of the Sabha, with the adoption of the proposed qualifications, the electorate will be considerably widened and the legislature will be representative of the general mass of the population, and no important section of the community or body politic will be prejudiced thereby.

(*f*) The Assam Provincial Hindu Sabha is not in favour of this scheme as it is not expected to work well being very cumbrous.

(*g*) Does not arise.

2. FRANCHISE QUALIFICATIONS.

(*a*) The qualifications proposed above will rectify the present disparity to a large extent.

(*b*) There is practically no marked disparity in the voting strength between the non-Muhammadan and the Muhammadan communities in Assam according to the existing uniform qualifications. In the district of Nowgong, for instance, the number of non-Muhammadan voters is 14,612 and that of non-Muhammadan voters is 3,999. The Muhammadan population is 70,582 and the non-Muhammadan population besides those professing tribal religions is 222,013. If we compare the two figures the Muhammadan voting strength does not compare unfavourably with that of the non-Muhammadans. But if we add the figure of those following tribal religions with that of the non-Muhammadans, the existing small disparity stand in favour of the Muhammadans. If figures of the other districts are similarly compared the alleged disparity will not appear to be glaring. Even if the franchise qualifications be made different there will still be some disparity which is only natural. If it is held for argument's sake that the disparity is glaring, still it will not matter much, as under the proposed separate electorate system, the number of seats in the legislature will be fixed irrespective of the voting strength. The adoption of different franchise qualifications for different communities will cause positive injustice to some for no fault on their part. It will be a cruel irony of fate if a non-Muhammadan person con-

Memorandum by the ASSAM PROVINCIAL HINDU SABHA, Nowgong. [*Continued.*

tributing a sum of rupees four, for example, to the provincial exchequer, by the way of land revenue or other tax be left out while a Muhammadan contributing less than that figures be enfranchised. The uniformity in the existing qualifications of voters has not caused hardship or injustice to any one and should not be abandoned. Difference or inequality in the franchise qualifications of electors is opposed to the principles of democracy and responsible Government and is bound to produce a disturbing effect in future. The Assam Provincial Hindu Sabha is therefore opposed to adoption of different standards.

3. WOMEN'S SUFFRAGE.

(*a*) Yes. The Assam Provincial Hindu Sabha is in favour of increasing the women's electorate. The method suggested by the Sabha is given in questions under the heading 1, namely "extension of the franchise" and it will serve the aforesaid purpose.

(*b*) No. This group representation is expected to be unworkable being very cumbrous.

4. REPRESENTATION OF THE DEPRESSED CLASSES.

(*a*) The Assam Provincial Hindu Sabha does not believe that there is really any depressed class in Assam in the sense they exist in other provinces. The so-called low castes in the Hindu fold in Assam are really not depressed classes. There is not such a thing as prohibition to enter a temple in Assam and it is now a common thing to see high castes and low castes freely mixing in religious gatherings. If the people of the higher castes do not dine with those of the lower castes they on their turn do not dine with those of the higher castes or take food cooked by them. Each considers himself polluted by such an act. Then again there is no community of interests among the people of the so-called low castes. The people of one low caste will not associate with another low caste and there is no inter-dining or inter-marriage among them. Some of these castes will feel insulted and mortified if they are bracketed together with others and termed as depressed classes. The Lalungs and the Kacharis of Assam have also got no affinity with them. The backward castes are not necessarily depressed classes. There is again really no demand made by the alleged low caste people for separate representation in Assam. The Assam Provincial Hindu Sabha is therefore opposed to separate representation of the alleged low class people. If really the people of the low castes want their own people in the legislature, they can have it in the general constituencies. They are sufficiently large in numbers to select men of theirs and in proportion to their population. (The census figure will prove this point.) The franchise qualifications proposed above will enfranchise the bulk of these people and will thereby ensure their representation by their own people in proportion to their numbers, in the general constituencies themselves and therefore no separate arrangement is necessary. Separate arrangement for representation will rather cause positive harm to them in the long run. There are again many administrative and other difficulties incidental to such a system of separate representation of the so-called low castes in Assam. What will be their number of seats in the proposed federal legislature and how to determine them and how to form a constituency for them comprising the whole province? These and similar other weighty reasons difficult of solution, have led the Hindu Sabha to believe that for the interests of the low castes, there should be no separate representation. If they want they can have their own men in proportion to their numbers in the general constituencies themselves.

5. REPRESENTATION OF LABOUR.

The Assam Provincial Hindu Sabha being always opposed to separate representation in any shape or form cannot extend the same to labour. In

Memorandum by the ASSAM PROVINCIAL HINDU SABHA, Nowgong. [*Continued.*

the opinion of the Sabha labour should be represented in the general constituencies and all persons earning an annual wage of Rs. 120 be enfranchised. It is expected that this will enable labour to secure adequate representation in the Council. In Assam, there is no organised labour and separate representation in the existing circumstances, may be illusory and it is very likely that capitalists will secure all the seats reserved for them under a scheme of separate representation. The Assam Provincial Hindu Sabha has therefore advocated that labour should be represented in the general constituencies which should be formed and contrived in such a manner as to enable labour to capture some seats if they like.

II.—THE FEDERAL LEGISLATURE.

6. ALLOCATION OF SEATS TO BRITISH INDIAN PROVINCES.

(*a*) The Assam Provincial Hindu Sabha is in favour of this proposal.

(*b*) Yes, the franchise qualifications should be different. The following qualifications may be adopted for the Federal Legislature:—

(*i*) All persons paying a sum of Rs. 25 or more as land revenue or Municipal tax of Rs. 10 be entitled to a vote.

(*ii*) All Matriculates and income-tax payers.

(*iii*) Wives, widows and mothers of such electors.

(*iv*) All wage-earners earning Rs. 600 per year.

(*v*) All electors in the provincial legislature who are qualified for the same due to military qualifications.

(*vi*) The age qualification in all the foregoing cases be 21.

(*c*) The Assam Provincial Hindu Sabha is in favour of direct election through territorial constituencies, for the lower Chamber of the Federal Legislature. The territorial constituency will no doubt be a large one but this cannot be helped. The legislators must be in direct contact with the electors and indirect election will only serve to keep the legislators aloof from the electors and thereby remove the wholesome checks and influence which is so essential in democratic insitutions. In this connection the Assam Provincial Hindu Sabha is of opinion that the number of seats tentatively fixed for Assam in the lower Chamber of the Federal Legislature is very few and it should at least be raised to eleven. This will roughly speaking, give one seat for each district and make the constituencies manageable by reducing the size.

7. REPRESENTATION OF WOMEN, LABOUR AND DEPRESSED CLASSES.

(1) The introduction of separate electorate for labour and depressed classes will only complicate the machinery of elections and this is not desirable in an experimental stage. The Assam Provincial Hindu Sabha is therefore greatly opposed to such a scheme. So far as the small province of Assam is concerned and in view of the fact that the gulf between the higher and lower castes is not great, labour being still unorganised. Such a scheme will only make matters worse and accentuate the bitterness between different sections of the people in place of that harmonious growth which is so essential for the peaceful and ordered progress of the country. The same arguments hold good against introduction of separate electorate for the Muhammadans. It is again very difficult to allot seats for labour and depressed classes and women of Assam in the Federal Legislature where the number of seats tentatively fixed for Assam is very few. It is better to leave the whole matter to the good sense of majority communities who can be expected to see to their interests and do justice to them. Reservation of a seat or two for them will not serve any useful purpose and what is wanted is unity in place of disunion in the body politic. Acceptance of the proposed suggestions will serve the purpose of bringing unity among different sections and interests of

Memorandum by the ASSAM PROVINCIAL HINDU SABHA, Nowgong. [*Concluded.*

the people and thereby do away with any need for separate electorate and reservation. So far as the women of Assam are concerned they ought to be placed in the general constituencies along with men and the numbers of women electors being very great in accordance with the scheme given by the Hindu Sabha, they can be expected to secure some seats whenever suitable candidates will be forthcoming. Besides there is no serious conflict of interests between men and women and men are not so selfish to oppose the return of suitable candidates. As such women should be placed along with men. Once separate electorate is accorded to women it is reasonable to expect that it may be pushed too far by selfish persons and it may be claimed among labour, Muhammadans and depressed classes making the machinery altogether unworkable.

Rai Sahib GOPIKA BALLAV GOSWAMI, Representing the Assam Provincial Hindu Sabha.

1. *The Chairman :* You have heard the evidence of the preceding witness. In what respect do you differ from him ? Do you agree with that as a whole ?—On many points I agree.

2. Is there any point on which you definitely disagree ?—Not much, so far as the franchise is concerned I agree with him. The views of my Sabha have been given in the written statement and in my evidence at Shillong.

3. *Sir John Kerr :* The main basis of your proposals for enlarging the franchise is a reduction to the payment of Rs. 5 land revenue as a qualification for the vote ?—Yes.

4. You think you can get more than 10 per cent. that way ?—Yes.

5. You go on to say that with the adoption of the proposed qualifications the electorate will be considerably widened and the legislature will be representative of the general mass of the population and no important section of the community or body politic will be prejudiced thereby. If you keep revenue as the basis, all cannot come in. What are you going to do with the rest of the population ?—For the present they may be left alone. You can't be fair in these matters.

6. As to labour you propose to enfranchise all persons earning an annual wage of Rs. 120. Is that in addition to the 10 per cent. ?—Not in addition. I mean to say that if they have these general qualifications they may come in. This is an additional qualification. This is intended for the coolies because we know that in many cases they do not hold property. Consequently we want to give a separate qualification for them.

7. You don't want to give the vote to any one who does not get that wage ?—No.

8. How will you know that ?—From the employer.

9. What about agricultural labour ?—From enquiries we shall be able to know.

10. Who is going to make enquiries ?—In our part of the province the best person will be the Gambara. For each village there is a Gambara and he can be entrusted with the work. So far as labour in " agreement gardens " is concerned the employer will be able to find out and for the " non-agreement " ones the Gambara would do the work.

* * * * *

Memorandum submitted by the GOALPARA ZEMINDARS' ASSOCIATION.

The zemindars of Goalpara on account of their peculiar position in the province are zealous to guard their interest against any infringement by any

future constitution of India. In order to do this, they maintain that their lot should be cast with their brother zemindars of Bengal with whom they have an identical interest and that they should be given separate representation sufficient to protect themselves from any attack on their rights. In the whole of Assam (barring Sylhet) Goalpara is the only permanently-settled territory and hence their interests are not often understood by the people of the temporarily-settled tracts of Assam. The land tenure system in the rest of the Assam Valley being quite different, the people of those parts naturally do not feel any interest in measures which affect the rights of the zemindars of Goalpara and the people of Sylhet, which is permanently-settled, living at a great distance and being not generally affected, have no incentive to trouble themselves about these measures. The result often is that the zemindars of Goalpara feel themselves absolutely helpless and do not find it possible even to represent their view-point before the Council, when important measures affecting their rights are brought before it. On one occasion, during the consideration of the Goalpara Tenancy Bill, a special representative of the zemindars had to be nominated to the Council, to put forth the zemindars' case which would otherwise have gone absolutely unrepresented. It is also interesting to note that the said representative had to be nominated as an "expert" under section 72A (2), proviso (*b*) of the Government of India Act and not as a representative of the zemindars, as that was the only way open for such nomination. It may also be pointed out that the economic interests of the temporarily-settled portions of Assam which form more than $\frac{5}{6}$ths of the area of the province, are not identical, but are often antagonistic to the economic interests of the permanently-settled tracts and on that ground the transfer of the permanently-settled district of Sylhet to Bengal, is being supported by the rest of Assam. Under these circumstances, the zemindars of Goalpara require special representation, so long as the district or the permanently-settled portion of it remains tacked with Assam, even against their wish. In the event of the proposed transfer of Sylhet to Bengal, being effected, their claim for transfer to Bengal will become all the more irresistible. This fact was recognised, when Sir John Kerr, the then Governor of Assam, said in the Assam Legislative Council in September 1924— "..... If the Surma Valley goes to Bengal, it might be difficult to defend the retention in Assam of the Goalpara district or at any rate the permanently-settled portion of the Goalpara district."

So this Association while welcoming the idea of widening the franchise further, would urge upon the Committee to see that the zemindars of Goalpara, so long as they remain in Assam, might have their claims recognised and adequately dealt with by the Franchise Committee.

The replies to the questionnaire are submitted—

1. (*a*) Persons with the following qualifications should be made eligible for voting provided he or she is of 21 years of age, has during the previous year resided within the constituency, is of sound mind and is not otherwise disqualified:—

(*i*) all persons paying chaukidari tax;

(*ii*) all persons paying taxes or rates to any Municipal or Cantonment authorities, or to any Union, or Town Committee, or village authority or local bodies;

(*iii*) all persons paying local rates amounting to a sum not less than Re. 1 a year whether the rate is paid direct to the Government or to a landholder or to any intermediate tenure-holder;

(*iv*) all occupancy tenants holding not less than 10 *bighas* of land;

(*v*) all income-tax payers;

(*vi*) any person living within a municipal area but not holding a house of his own but paying an aggregate rent of not less than Rs. 50 a year.

Memorandum by the GOALPARA ZEMINDARS' ASSOCIATION. [*Continued.*

Besides the above qualifications, this Association is of opinion that all literate persons should have votes. But in the absence of authentic figures, it is not possible to ascertain the real number of literates of 21 years or over in the province. In any case, persons having educational qualifications of a certain standard, though not otherwise eligible, ought to be given the right to vote, and with that view, if it be not practicable to enfranchise all literate people, this Association suggests the following additional qualifications, as alternative to the general literacy qualifications:—

(*vii*) all persons who have passed at least the Matriculation Examination or its equivalent;

(*viii*) teachers of either sex, Pandits and Maulvis of 3 years' standing of all Schools, Pathsalas, Madrasas, Maktabs and Tols, recognised by the Government, any University, any local body or any recognised Association;

(*ix*) all persons, who have passed any title examination in Sanskrit, Arabic, Persian or any other oriental language, held under the auspices of the Government or any Sanskrit Association of Assam or Bengal, or Muhammedan Education Boards, or any other recognised Board of Oriental Studies;

(*x*) all holders of final certificates from any recognised Technical Institution;

(*xi*) all registered medical practitioners, all *bonâ fide* Homœopathic, Ayurvedic and Unani practitioners of not less than three years' standing, Pleaders, Mukhtears and Revenue Agents, recognised contractors of local bodies and Public Works Departments of not less than three years' standing.

(*b*) Yes, the reply is in the affirmative.

(*c*) Under the existing number of constituencies, it is not likely that the expanded electorate proposed by us will be easily manageable but with the expansion of the electorate the number of constituencies will also have to be increased and widely distributed so that under the expanded system, the constituencies being for smaller areas, the questions of preparation, maintenance, and revision of electoral rolls and recording and counting of votes will not present any insurmountable difficulty. As to size of the Provincial Council, this Association fully agrees with the recommendations of the Statutory Commission (*vide* their report, Volume II, page 55) that "an immediate increase, in the case of the more important provinces to a figure of between 200 and 250 might be sufficient for the present". In any case this Association is of opinion that the strength of the local Council in Assam should be between 150 to 200.

(*e*) Adult franchise should be the ultimate goal to be attained by gradual stages.

(*f*) This Association does not approve of the suggestions, as it will lead to corruption and confusion and as the complexities of recording votes and consequently expenditure would increase. There are already different constituencies for the different communities and when there is every likelihood of this system of communal representation being continued for the present, this Association does not favour the creation of sub-constituencies within one particular constituency.

(*g*) to (*j*) Do not arise.

2. (*a*) There is disparity in favour of villages. In towns educated and intelligent people are often debarred from voting simply because they do not possess the property qualification. The expansion of the franchise, as suggested in answer to question 1 (*a*), will rectify the disparities.

(*b*) No. There should be no two systems of franchise qualifications in the same localities for different communities. Moreover, under the system sug-

Memorandum by the GOALPARA ZEMINDARS' ASSOCIATION. [*Continued.*

gested by us this will not at all be found necessary.

(*c*) Yes, the zemindars are of opinion that the possession of property should be a test of fitness and they approve of the existing principles with modifications as stated above.

(*d*) Yes, the suggestions have been made in answer to question 1 (*a*).

(*e*) The existing military service qualification may be retained and there is also no objection to the qualification being extended to the Auxiliary and Territorial Forces.

3. (*a*) The Association approves of the proposal of the Statutory Commission with this modification that in cases where there are more wives than one, only the senior wife will be eligible for voting, and the age should in all cases be 21 years.

Besides, all women who possess the educational and other qualifications mentioned in answers to question 1 (*a*) should be eligible for voting.

4. This Association does not see any necessity of giving special representation to the so-called depressed classes in Assam, as they do not suffer from any political or other disabilities. So far as Assam is concerned there are practically no such depressed classes who cannot have the same rights and liberties as the other classes have. In these days of utilitarian movement and educational progress the so-called depressed classes can have and often have adequate representation in the councils. With the widening of the franchise as suggested, they will be all the more competent to control greater number of votes and have representatives of their own choice. If a separate electorate is created for the so-called depressed classes, it will not be surprising if each caste clamours for its own separate representation.

5. The percentage of agriculturists and other kinds of labour votes would be much higher than that of non-labour votes. Hence in the general constituencies the labourers would have ample scope for securing their own representation. Whoever gets his nomination, be he a non-Muhammadan or Muhammadan, he must have to come by the votes of the majority of ordinary peasants and labourers in all rural and industrial constituencies; so the question of their separate representation does not arise.

6. (*a*) This Association is against any sort of indirect voting and so it does not favour the proposal made by the Federal Structure Committee. The Association would suggest that the voting even for the Upper Chamber should be made directly by the people as is being done now in the case of the Council of State.

(*b*) As regards the lower House of the Federal Legislature, the franchise qualification need not be separate from that for the Provincial Legislature. But for the upper House of the Federal Legislature the qualification ought to be higher. This Association would suggest that the present franchise qualification for the Council of State may be retained.

(*c*) This Association realises that if direct voting is resorted to, the management of the election will be a difficult matter. But in spite of this, the Association will not favour indirect representation. The constituency will have to be created on territorial basis but in limiting the areas of each territorial constituency the attention should be given not wholly to the area of the territory but also to the political consciousness, education and influence of the people of the locality as well as to the density of population. With the increase in the number of the constituencies the administrative difficulties will, in a large number of cases, be minimised.

This Association will suggest that the number of seats to be allotted to the province of Assam should be as follows:—

(*i*) Five seats for the Upper Chamber, of which 1 seat should be specially set apart for the zemindars of the permanently-settled portions of the districts of Goalpara and Sylhet.

(*ii*) The numbers of seats in the Lower Chamber for the province of Assam should be at least 9 to be distributed as follows (assuming that the present system of communal representation will be retained):—

Assam Valley Muhammadan	1 seat.
Assam Valley non-Muhammadan . . .	2 seats.
Surma Valley Muhammadan	2 ,,
Surma Valley non-Muhammadan . .	2 ,,
Europeans	1 seat.
Zemindars of the permanently-settled portions of the districts of Goalpara and Sylhet	1 ,,
TOTAL .	9 seats.

It is suggested that the zemindars' seats in the two Chambers should be alternately filled up by one member each from Goalpara and Sylhet, the election being held in both places on votes recorded by the whole constituency in the two districts, and that the electoral rules should be so framed as to secure the election of one member from Goalpara to one of the Chambers, and one member from Sylhet to the other Chamber in each election.

7. Our previous suggestions and remarks regarding the representation of women, labour and the depressed classes in the local legislature, will also apply to the representation of these classes in the Federal Legislature.

8. In the existing system of franchise, though the claims of special interests have been recognised and separate representation has been given to several special interests, the claims of the Zamindars or Landholders to separate representation in the Assam Council have been overlooked; in other provincial councils, as also in the Assembly, the Landholders have got special and separate representation. In Assam also, the Franchise Committee of 1919 which sat under the presidency of Lord Southborough, recommended two seats in the Assam Council for the Landholders, one for each Valley. (Report of the Franchise Committee and the Committee on Division of Functions, 1919, page 94.) The recommendation however was not ultimately given effect to, possibly owing to the report of the then Chief Commissioner of Assam (Sir N. D. Beatson Bell), who was of opinion that the landholding classes of Sylhet would be amply represented by the members of the general constituencies assigned to the district and that he would nominate one of the zemindars of Goalpara to the Council whenever an important Bill connected with the district was about to be discussed. (Government of India's Despatch of March 5th, 1919, and connected papers, page 336.) It would appear therefore that it was even then recognised that the zemindars of Goalpara require special representation and if they do so, there is no reason why they should not come in by election through their own separate constituency, rather than by nomination, through the good offices of the Government, which entails a good deal of handicap. The system of nomination also is likely to be done away with under the new system of reforms, in which case the off chance of their being nominated to the Council on important occasions will also vanish, with the result that an important interest, a separate economic unit in the province, will go without representation in the provincial legislature.

This Association has to make one other suggestion regarding the qualifications of the candidate for election. The Association thinks that besides the qualifications now in force regarding candidates for election, it should be made a rule that no persons, holding educational qualifications below a certain standard, should be eligible to stand as candidates for

election. Rules should also be made to prevent the setting up of "dummy" candidates. In any case an illiterate person should not be allowed to stand as a candidate.

Kumar PRAMATHESH CHANDRA BARUA, Representing the Goalpara Zamindars' Association.

1. *The Chairman :* How many members are there in your Association ?—There are about 16 members.

2. How is that Association constituted ? Who can become a member ?—It is constituted of Zamindars holding permanently-settled tracts in the district of Goalpara.

3. How many Zamindars are there in that district ?—There are five families. In three families there are co-sharers.

4. Then the Association contains all the zamindars ?—Yes.

5. I understand that you have one nominated member in the Council ?—No.

6. You are represented by the ordinary method of election in a general constituency ?—Yes.

7. I see that you ask for one seat for the Zamindars in the Upper Chamber and one in the Lower Chamber ?—Yes.

8. Why is it, when you are 16 in number only, you want one representative in both houses ?—This representation includes the Zamindars of the Surma Valley. In Surma Valley the number is very much larger than in Goalpara.

9. How many are there in the Surma Valley ?—It will be easily about 150.

10. What is the area of the land that they hold ?—In the district of Goalpara about two-thirds is permanently settled. In Sylhet it is all permanently settled.

11. And owned by 150 zamindars ?—Yes, about that. About the number of Sylhet Zamindars, I could not be exact. That is an approximate number that I gave. Big proprietors in Sylhet are not more than a dozen or 15.

12. *Sir John Kerr :* You propose that only big zamindars should form the electorate ?—Also the small.

13. You will give them two votes ?—Yes, in the case of permanently-settled areas.

14. Don't you think that the small proprietors have got sufficient influence to secure representation in the general constituency ?—Not always.

* * * * *

15. *The Chairman :* You also want representation in the Federal Legislature ?—We want 2 seats, one in the upper and one in the lower.

16. You mean 16 people will get 2 seats in the Central legislature, in the upper house and the lower house ?—One will come from Goalpara and one from Sylhet. They will be elected by a joint electorate of the zamindars.

17. Don't you think that that is a large claim ?—When I think of the stake in the land, I don't think it is large.

18. *Mr. Butler :* You would not require an Upper Chamber in this province ?—No.

19. You would not be satisfied if you were represented in the Upper Chamber in this province and not in the Federal Upper Chamber ?—No.

20. I think you are talking generally rather than of Assam ?—Yes. Our land is permanently settled. Most of the Assam land is not permanently settled. Therefore the question of the permanently-settled land cannot be discussed here.

21. *Khan Bahadur Aziz-ul-Huque :* Are you aware that in the Federal Legislature no question of land interest can possibly come in. Would you still advocate representation in the Federal Chamber ? Is there anything by which you can justify your claim to have some interest or stake in the Federal Legislature ? Is there anything by which you could show that you have some interest at stake in the Federal Legislature ?—(No reply).

22. *Mr. Miller :* Your principal claim is to representation by a special constituency in the Lower House of the Provincial Assam Legislature. Other matters are incidental ?—Yes.

23. And you base that claim on the fact that your land is permanently settled and hence different to all other lands in Assam ?—Yes.

24. Is Sylhet in the Goalpara area ?—No.

25. Is that permanently settled ?—Yes.

26. So that the interests of the landlord and your interests are the same ?—They are similar though not identical.

27. Owing to lack of representation has your interest been damaged in any way ?—It has.

28. Can you give us any instance where you have suffered by reason of the fact that you have no representation in the Legislature ?—When there was a legislature without any Zemindars, persons had to be nominated specially for a special purpose and usually the Zemindars had no voice.

29. You yourself notwithstanding that managed to secure election to the legislature and you and others could well have represented the Landholders of Goalpara ?—No ; in most cases the interest of landlords and the constituency from which I came clashed, as in the case of Tenancy law. In that case we were obliged to protect them and we had to go against ourselves.

30. I am glad you were conscientious enough to do so ?—We had to do so.

31. *Mr. Bakhale :* You are an elected member of the Council ?—Yes.

32. You could be elected although in the minority ?—Yes.

33. You want special representation ?—Yes.

34. And yet you do not want to give it to labour ?—No.

35. You will leave them to the tender mercies of the electorate ?—No. They themselves would get it.

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Memorandum submitted by the ASSAM BRANCH, EUROPEAN ASSOCIATION.

I.—PROVINCIAL LEGISLATURES.

1. EXTENSION OF THE FRANCHISE.

(*a*) Assuming that the recommendation of the Franchise Sub-Committee of the Round Table Conference "that the immediate increase of the electorate to enfranchise not less than 10 per cent. of the population" is immutable (whatever opinions to the contrary may be held by the Assam Branch of the European Association), the means suggested by which the existing franchise for the Provincial Legislature could be extended in order to include 10 per cent. of the population in the electorate roll are as follows : —

The electorate at the 1926 election was 250,751 or 4·3 per cent. of the population of the constituencies, excluding the population on tea gardens,

which is estimated to be one million labourers. It will therefore be necessary to increase the electorate by approximately 2½ times and the only means by which this can be accomplished is by lowering the existing qualifications of the franchise, by the inclusion in the franchise of the wives of those males eligible to vote under the property qualification, and by giving adult suffrage to plantation labour who would elect representatives by the group system. This would also tend to lower the undue disparity between the rural and urban electorates which runs as high as 15 per cent. in an urban and as low as 1·9 per cent. in a rural area and we would suggest a reduction of the existing qualifications from payment of Rs. 15 as land revenue to Rs. 10 and from Re. 1 to annas 8 of the local rates.

The Indian Statutory Commission made a suggestion (*vide* Volume II, page 92, paragraph 106) that an additional qualification based on education, independently of property, should be added, *viz.*, that those who had attained the age of 21 and were in possession of a certificate showing that they had reached the fifth standard should be placed on the voters' list. This would not only bring in voters of better education, but would provide for an increase in the number of electors in proportion as education expands, but my Branch entirely disagree with this suggestion, on the grounds that it would further accentuate the disparity between rural and urban areas.

The Assam Branch are in agreement with the recommendations of the Government of Assam as set out in their memoranda and recommendations prepared for the Indian Statutory Commission in regard to pages 47 to 52, paragraphs 53 to 61.

The Minority Sub-Committee at the Round Table Conference recommended an Assam Council of 100 members consisting of—

Hindu, Caste	38	51
Depressed	13	
Muhammadan		35
Christian		3
Anglo-Indian		1
European		10
		100

With these proposals my Branch does not agree as this proportion would not maintain the balance between the Muhammadans and the Hindus which is considered to be essential. Moreover it is considered that the proportion of the Europeans is unduly small in view of the vast interests which they control. It is presumed that the total of 10 European members recommended is to include the Planting, Commerce and Industry, and European constituencies and I would recommend as strongly as possible that the representation of the Europeans should be increased by a further 2 members.

(*b*) No accurate statistics are available as to the number of illiterate voters, but estimates are invariably high, averaging 75 to 80 per cent. of the electorate. According to the Indian Statutory Commission (*vide* Volume I, page 383, paragraph 438), the percentage of male literates in Assam who are 20 years of age and over is given as 15 per cent. these figures being taken from the 1921 Census. This being so, it is out of the question to look on or expect literacy to enter in the qualifications of an enlarged franchise. Frankly speaking, at the present time, we do not

Memorandum by the ASSAM BRANCH, EUROPEAN ASSOCIATION. [*Continued.*

think any of these classes, with the exception of the small educated minority, understand politics enough to cast an intelligible vote. In course of time they will no doubt all learn from experience.

(*c*) This is a question the reply to which it appears to the Assam Branch would be more suitably answered by Assam Government officials, in that the burden of the administration would fall on their shoulders. In this connection a reference is made to the memoranda of the Government of Assam on the working of the Reformed Government, page 22, paragraph 22, in which it is stated that polling took place from 11 A.M. to 5 P.M. daily and occupied about a fortnight over the whole province. It was found that the maximum number of votes that could be polled in one day was generally not more than 500! We however see no extra difficulty in recording the wives of those eligible to vote provided they are recorded at the same time and bracketed with the husbands on the voters' list.

The adult suffrage recommended for plantation labour is only financially possible if residence on a plantation and the receipt of wages for one year is accepted as the qualification. If such is the case tea gardens could submit voters' rolls which could be checked when necessary by reference to the garden wages book. Provided also that each plantation is treated as a group and the primary election of representatives to the electoral college be held on the plantation.

(*d*) Does not arise.

(*e*) The Assam Branch consider that it is neither practicable nor desirable to enlarge the electorate still further than the proposed 10 per cent. of the population.

(*f*) It is stated in the memoranda of the Government of Assam (page 55, paragraph 65) that His Excellency and the Finance Member are definitely of the opinion that it would be impossible to provide either the polling stations or the staff necessary for an election based on adult suffrage. The suggestion that all adults not entitled to a direct vote, should be grouped together in primary groups of about 20 for the election of one or more representatives numbers from each group who would be entitled to vote in the provincial elections, does not meet with the Branch approval, except in the case of labour representation on tea gardens. The constituencies should certainly be separate and be composed of group electors only.

(*g*) It follows as a natural corollary that if group electors are qualified to elect their own representatives they should have the right to select their own candidates for such constituencies, in the event of separate constituencies being framed for group electors, *i.e.*, for tea garden labour force.

(*h*) We do not consider it would be either feasible or advantageous to abolish all existing qualifications for voters and to extend the group system to all adult voters. A reference is made to the replies already given to questions (*e*) and (*f*).

2. FRANCHISE QUALIFICATIONS.

(*a*) In reply to this question a reference is made to the Government of Assam's memoranda, page 14, paragraph 14, containing a table showing the percentage of urban and rural population enfranchised, in all the constituencies of the province, running as high as 15 per cent. (in an urban and as low as 1·9 per cent. in a rural area). It further states (page 16, paragraph 14, final) "that the Franchise Committee (of 1918) observed however that their proposals would enfranchise a substantially higher percentage in the towns, in view of the higher level of wealth and intelligence there than in the country. The statement would require qualification in Assam. The Joint Select Committee deprecated the inadequacy of rural representation in India".

Memorandum by the ASSAM BRANCH, EUROPEAN ASSOCIATION. [*Continued.*

We are definitely of the opinion that there is a marked disparity in the operation of the franchise qualification in urban as compared with rural areas. The only real measure that would rectify their disparity is adult suffrage. This is out of the question on financial grounds for the country as a whole and we have only recommended it for plantation labour as it appears to be feasible.

The measures to rectify this disparity have already been stated, *i.e.*, (*a*) the lowering of the franchise qualifications, (*b*) the introduction of the group system in plantation labour force, (*c*) by the inclusion in the franchise of the wives of those eligible to vote under the property qualification.

(*b*) Communal electorates are necessary in this province for minorities such as Moslems, Marwaries, depressed classes and Europeans. We do not agree that representatives should be in proportion to numbers only. In regard to the Moslems the matter is an all-India question and they have been allowed weightage in various provinces, including Assam, for many years. We believe that this is a question for the community concerned to settle by agreement with the others.

(*c*) With a limited franchise, yes. The Branch agrees with the principle of property qualifications, except in the case of labour on plantations.

(*d*) We are not in favour of the educational qualifications for the reasons stated before. In no country in the world has education alone been the test of fitness for the franchise. It is only a method of giving owners of property two or more votes. The father as owner of the property has a vote. The son or sons have votes because the father has used his property to educate his sons. The poor man has no property and no vote. His sons are not educated because the father has no property, so they have no vote.

(*e*) The Assam Branch is in favour of retaining the existing military service qualification and extending it so as to include service in the Auxiliary and Territorial Forces.

3. WOMEN'S SUFFRAGE.

(*a*) The Indian Statutory Commission state (Volume I, page 53, paragraph 71), " that the women's movements in India holds the key of progress, and the results it may achieve are incalculably great. It is not too much to say that India cannot reach the position to which it aspires in the world until its women play their due part as educated citizens ". With the general principle of this my Branch are in full sympathy, but when it becomes necessary to apply them in particular to the province of Assam difficulties arise on all sides. At present the position in Assam is that women are not debarred from voting but are still ineligible for election as members of Council.

The Government of India's Despatch on proposals for Constitutional Reform (page 25, paragraph 29), states as follows:—

" We agree with them (the Provincial Governments) that it would be unwise to attempt to force upon India measures for the enfranchisement of great numbers of women. We suggest, therefore, that this matter should continue to be left to the decision of the Provincial Councils."

In 1924 the Assam Council passed a resolution recommending the extension of the franchise to women and the Local Government made a regulation removing the sex disqualification against women voters.

The Assam Branch are in favour of the Statutory Commission's proposal that the wives of men entitled to vote, under the property qualification, should be enfranchised, but would limit it to wives only and the age-limit should be 21, both for males and females.

(*b*) Have already stated that the Branch disagrees with the group system, except in reference to plantation labour.

Memorandum by the ASSAM BRANCH, EUROPEAN ASSOCIATION. [*Continued.*

4. REPRESENTATION OF THE DEPRESSED CLASSES.

My Branch are in favour of the recommendations of the Assam Government as set out in their memoranda on pages 48 and 49, paragraph 53.

5. REPRESENTATION OF LABOUR.

(*b*) My Branch are in favour of the recommendations of the Assam Government as set out in pages 47 and 48, paragraph 52, with the following provisos:—

The adults of the age of 21 and upwards, both male and female, should have the franchise provided they have been in residence on a plantation and been in receipt of wages during the previous year. Each plantation should be treated as a group and every 100 electors on the plantation should elect one representative who would become a member of the electoral college. We cannot however agree to the representation suggested, *i.e.*, two from the Assam Valley and one from the Surma Valley to represent the population of one million tea garden labour, which is out of all proportion to the suggested representation of some 923,000 for the backward classes, the indigenous primitive races and the depressed classes of two for the Surma Valley and six in the Assam Valley. If the above proportion of approximately one representative per 100,000 for all communities is applied to plantation labour, the population of one million who reside on plantations are entitled to 10 representatives on the Council.

II.—THE FEDERAL LEGISLATURE.

6. ALLOCATION OF SEATS TO BRITISH INDIAN PROVINCES.

(*a*) The Assam Branch agree to the proposal that the representatives of British Indian Provinces should be elected by the Provincial Legislatures by a single transferable vote, provided the candidates can come from inside or outside the Legislature.

(*b*) My Branch consider that the franchise qualifications should be different for the Federal and Provincial Legislatures and that the existing qualifications should remain.

(*c*) The Assam Branch would suggest that election to the Lower Chamber of the Federal Legislature should be by indirect election, the method to be followed being that the Lower Chamber members should be elected by the Provincial Councils, such members being voted for only by each community or group in the Council, and not by the single transferable vote.

APPENDIX.

Copy of a letter, dated 10th April 1932, from the Chairman, Assam Branch, European Association, Balijan, Chabua P. O., Assam, to the Secretary, Indian Franchise Committee, Simla.

With reference to the Memo. I submitted on behalf of the Assam Branch of the European Association and to my examination before your Committee in Calcutta on the 23rd February, I now wish to offer a few remarks.

As stated by me in the memorandum our views were very hurriedly put forward. My Branch has now had time to reconsider the questionnaire in the light of your examination of me and in the light of the revised views of the Assam Government on certain questions.

I particularly refer to the representation of tea garden labour in Assam. In our memorandum we adopted the group system recommended by the

Government of Assam. The Government of Assam have now withdrawn their recommendation that their representatives should be elected by the tea garden population. They now recommend that their representatives should be nominated. We desire to associate ourselves with the Assam Government in their request but suggest the present system of the nomination of one member only be continued.

All public bodies in Assam having now unanimously recommended nomination for the tea garden population it is unlikely that your Committee will recommend an election system. But should your Committee do so we strongly protest against any scheme which would include this community in a separate electorate.

Separate electorates were devised for Communal purposes and we consider they should not be formed to create fresh divisions between class and class on Industrial lines or between Indians from other Provinces and the indigenous population.

If nomination is not accepted this community should be given a voting strength proportional to their numbers and should vote in the general Non-Muhammadan constituencies without reservation of seats.

The franchise could be on the group system for this Community.

European Representation.—My Branch is not in agreement with the view taken by the majority of the Provincial Franchise Committee nor that expressed in Appendix V to the Second Report by the Secretary to the Assam Franchise Committee and would reiterate their recommendation that two seats be reserved for European representation, *i.e.*, one for the Assam Valley and one for the Surma Valley.

Mr. L. A. ROFFEY, Representing the Assam Branch of the European Association.

1. *The Chairman :* You are the Chairman of the Assam Branch of the European Association ?—Yes.

2. How many Europeans are there living in Assam ?—3,000.

3. How many are members of your Association ?—1,427.

4. Are they mostly engaged in the Tea planting Industry ?—Mainly : some are in the oil industry and some in Mining.

5. The views you express here represent the views of the Committee of your Association ?—Of the Assam Branch, yes.

6. I see that you favour an electorate of not less than 10 per cent. of the population ?—Yes, Sir, by the direct system.

7. You are against the group system ?—Except in respect of the Tea population. We are not adamant about it but we think on the ground of expense and the curtailing of the electorate, it may leave things open to bribery and corruption.

8. You recognise that the increase of the electorate to enfranchise not less than 10 per cent. of the population would mean the lowering of the existing qualifications of the franchise ?—The lowering of the franchise qualification is not arbitrary at all. We started with the premise that the franchise should be extended to 10 per cent. and proposed the lowering of the qualification to the payment of Rs. 10 land revenue and annas eight local rates. We had no figures to go upon. I understand the Assam Government officials can say how many it would enfranchise by so lowering the qualification.

9. Whatever may be the qualification necessary to enfranchise 10 per cent. of the total population, if you take 10 per cent. of the adults, four-fifths would be unrepresented. In view of that, don't you think it would be necessary to lower the

existing qualifications with a view to give them some voice in the country ?—We are not against it if a practicable scheme can be devised for doing so and the total electorate did not exceed ten per cent. Our only objection is that presumably the villages would be grouped together and the Mouzdars would get the control and the electorate would be under the thumb of the Mouzdar. I have heard it said that the same motive might be attributed to the Garden Managers. I deny that.

10. The Mouzdar is a Government official ?—Yes.

11. And he controls the election ?—He is not above reproach I am sorry to say.

12. *Sir Ernest Bennett :* I see you are in favour of enfranchising the wives and widows of the voters who are qualified by the property qualification ?—Not widows, only wives. We see difficulty in the registration of widows. Any woman may claim to be a widow.

13. *Mr. Butler :* Under the head "representation of labour" there was some discussion, in the event of your grouping coolies in the Tea Gardens, whether you would confine the person who should represent them in the Council to one of themselves or whether you would allow outside persons. Have you any views on that ? —My views coincide with that of Mr. Hockenhull.

14. As representing the European Association do you ask for any representation of the Association on the Council, and if so what ?—Two members.

15. Two members in the enlarged Councils ?—Yes.

16. What have you at present ?—None. We asked for two members in the Provincial council.

17. On a Provincial council of 100 or 80 ?—Yes.

18. What would be the constituency ?—The general constituency of Assam.

19. That would be the Europeans qualified by the same qualifications ?—Yes. Might I add that the recommendations of the Indian Statutory Commission and the Assam Government were in favour of our being represented as an Association.

20. *Sir John Kerr :* When discussing the group elections you seemed to be afraid of the Mouzdar interfering. If he was left out and the group elections were left to some officials, say the Deputy Collector, would that meet your views ?—No, I do not think so because the Mouzdars' influence would still be there whether he had anything to do with the actual polling or not.

21. The proposal is that the Sub-Deputy Collector should go into the villages and form groups of 20 or 30 and those groups should get some one to vote for them. How would that be regarded ?—Presumably they would know the candidate being nominated or standing for election and the Mouzdars would simply spread it about you must vote for so and so.

22. After the primary election was over ?—No, he would say it before. It would be cut and dried beforehand.

23. Does the Mouzdar interfere with direct election at present ?—I am not prepared to answer that.

24. If he does not interfere now why would he interfere later ?—I don't say he does not interfere.

25. *Sir Sunder Singh Majithia :* At any rate you have put it forward that the Mouzdar interferes ?—I don't say definitely that he does. I suggest it. We are all out to better things.

26. *The Hon'ble Mary Pickford :* You say your Council is in favour of enfranchising wives, not widows. Did your Council have an opportunity of discussing the subsequent question sent on the questionnaire about reserving some seats in the Council for women either by co-option or otherwise ?—I had no opportunity of consulting my council but I have heard it mooted and discussed. My personal opinion would be in favour of it.

27. You would be in favour until the women got stronger ?—Yes.

28. You don't very much mind what machinery is used ?—As long as it is the best available.

29. Co-option is suggested ?—I agree.

30. *Sir Ernest Bennett :* Don't you think the group system would be the best way of bringing in the villages ?—To me it seems very largely a question of percentage of the population which is to be enfranchised. We visualise it as 10 per cent. or thereabouts. Adult suffrage would bring in more than that.

31. You will get adult suffrage from the group system ?—That is so.

32. *Lord Dufferin :* You want separate seats for the Europeans and for the Tea industry and you say that on some occasions the two interests will clash. In what cases and on what occasions would they clash ?—Might I state my reason ? The reason for the Assam Branch of the European Association demanding separate representation is the same as that demanded for labour, that the interests of the proprietor are not the same as the individual. May I quote from certain papers which I have which give the reasons for the existence of the European Association. These are printed on the back of the enrolment form :—

1. The European Association is the one body looking after purely British interests in India.
2. As self-Government increases so does the necessity for Europeans to take an active part in politics.
3. The European Association looks after the Electoral rolls and also finds candidates to represent British interests.
4. The European Association collects and focuses the opinions of Europeans on all matters affecting their welfare, thus securing them a more effective voice.
5. The Eurepean Association expresses the views of its members through its representatives on the Councils.
6. The European Association watches for defects in new or amended laws and rules.
7. The European Association assists in the defence of members in cases having a racial or political significance.
8. The European Association protects the interests of Europeans in civic matters *vide* its action in securing the European food supply during the violent communal riots in Calcutta in 1926.
9. The European Association is not anti-Indian. Its policy is one of co-operation for the progressive development of India.
10. It is the duty of Europeans who have enjoyed political rights in their own country for generations to set a high example of civic responsibility in India.

33. Would you like a second Chamber in Assam ?—In the memorandum submitted by the European Association to the Indian Statutory Commission we were in favour of it. Subsequently we altered our views purely on the ground of expense. The Assam Province, owing to the depression in the Tea industry, on which it mainly exists, finds its finances in a parlous state and in view of the fact that the electorate will be enlarged, my personal opinion is (I have not consulted my Council) that that second Chamber would be most disadvantageous.

34. You would require representation in that as well ?—We should like it distinctly.

35. What electorate would you have for your second Chamber. Have you thought of that ?—No, I have not.

36. *Major Milner:* Your Tea Industry only represents the commercial side ?—Yes.

37. You want somebody to represent it ?—Yes.

38. You approve of the 10 per cent. franchise. Do you think it desirable or would you prefer something lower ?—The European Association is out for the fulfilment of the views expressed in the Prime Minister's statement. Previous to that I think there is not a man in Assam or India who would have suggested 10 per cent.

39. What did you mean exactly in your evidence when you said that the "Planting members have definite instructions to have nothing to do with the European Association" ?—Did I say planting members ? I think what I said (and what you are referring to) was that the Secretary had instructions that he was not to hold any official office in the Association.

40. It is reported here that you said "I have already said that the planting members have definite instructions to have nothing to do with the European Association ?—I must be misreported.

Mr. Dawson: May I make an explanation with regard to a statement that I have made at page 47 of the Report of the Evidence given before the Assam Provincial Franchise Committee ? This is what is stated there:

> "The Chairman at this stage explained to the Committee that he was the Secretary, Assam Branch, Indian Tea Association but had special instructions not to have anything to do with the European Association."

The Chairman: What is the point you want to bring out ?

41. *Major Milner:* If they do not have anything to do with the European Association, would they be elected by your representatives ?—99 per cent. of the planters are members of the European Association.

42. If the remainder of the 90 per cent. of the population were enfranchised under the group system, do you consider that you will receive representation or will it be a paper representation ?—It is rather a big question to answer.

43. Would all the interests get a fair chance of being represented by that method ?—Some of the interests would not get proper representation. In our memorandum we have asked for special representation for various interests. I think the backward classes should get special representation.

44. You are bringing in all the tribes. Would it really represent all the various classes ?—The group system would undoubtedly represent all the classes.

* * * * *

45. *Khan Bahadur Aziz-ul-Huque:* When you propose giving these people special representation, would you not be giving them double votes when you claim votes for them in the European Association as well ?—No.

46. Would you exclude tea planters from representation in the European Association ? The planting members in the Council represent Englishmen ?—That is the whole of my argument.

47. So far as the person is concerned, apart from interest, you are giving the same person two votes, one in the tea interest and the other in the personal interest ? —I want two votes in the personal interest, one to represent the Assam valley and the other to represent the Surma valley which is about half the size of the Assam valley.

48. But whether it is one or two, is it not a fact that the same persons will vote both in the Tea Association as well as in the European Association ?—They will. The members of the oil industry and the mining industry do not vote with the planting members.

49. Excluding them, 1,250 persons will be voting in both the constituencies ?—But there is a difference of interest.

50. Would it not be desirable to avoid giving the same man two votes in two different constituencies ? Once you accept this proposition of giving two votes to one and the same man, other persons also will come forward and say that they represent 10 interests and that therefore they must be given 10 votes ?—The planting members represent the planting industry, whereas we as individuals ask for representation for ourselves. As I said before, this was recommended by the Indian Statutory Commission and also by the Assam Government and we consider that we are entitled to it.

51. Of the 3,000 persons, which is the total of the European population in Assam how many are adults, males and females ?—Presumably half male and half female. We also have a few ladies as members of our Association.

52. *Major Milner :* Are the majority of the tea concerns, companies ?—Yes.

53. So, unless they are given some special representation, the companies will go unrepresented ?—Yes. I think the figure by the Assam Government in their memorandum about the capital invested in the tea industry is £70 millions sterling.

54. Unless the European is given special representation as distinct from the representation given to the tea industry, is he likely to have a representative in the legislature ?—Absolutely none whatever.

55. Is that, in the main, your claim ?—Yes, Sir.

56. You referred to group system in villages and about the influence of the Mauzadar in the villages. Is he likely to be able to influence 20 groups combined for election purposes and secure their votes ?—No. If they are grouped together like that fewer people will go to the polls.

57. It will be very difficult to influence 400 people voting in 20 different groups and electing 20 different men ? You see, you have to select 20 people. Don't you agree with me that it is difficult to influence 20 men from 20 groups ?—Yes. I am not definitely against the group system at all.

58. You agree to representation of labour which, you suggest, should be by the group system ?—Yes.

59. There is no trade union there at present ?—No.

60. If they are well constituted, they can be worked ?—Yes.

61. *Diwan Bahadur Ramaswami Mudaliyar :* Are you a planter ?—Yes.

62. Supposing you were elected to the legislative council, would you stand only for the planting interests or would you stand for the personal interests of the European community or would you take interest in both ?—Possibly there might be some subjects coming up which will be against the interests of either or both. I can give you an instance which occurred recently. As Chairman of the European Association, Assam Branch, I had to take up a matter which I do not think would have been touched by the Tea Association. The question concerned the grant of pension to special constables. That is a subject which the Tea Association would not touch.

63. Supposing you are a member of the Legislative Council of Assam representing the tea industry, and supposing a European gentleman were to come up and put before you this specific grievance which you have referred to, would you say : 'I am a member of the Tea Association. I can have nothing to do with it. I shall not be interpellating the Members of Government about it and I shall not be approaching the Government on that' ; or, would you, as a European, take up this matter ? I put it to you that you would not neglect it ?—Possibly not. But, if there are two European members, this grievance would be more directly the concern of the European member representing the community and less so the concern of the European member representing the tea industry only.

64. Seeing that you are a small community and in the midst of this large Indian population, sometimes possibly hostile, can a member of your community afford, on whatever ticket he has been returned to the legislative council, to ignore the general interests and the personal interest of the European community as such ?—Possibly not; but then he may not be in a position to take the trouble which the representative concerned would take.

65. The tea industry has asked for 11 seats and the European Association 2 seats. Would you take these two seats out of the 11 and reserve 9 seats to the tea industry ?—No.

66. Please answer as a gentleman of the European Association and not as a planter ? (Laughter). That is a difficult thing to do. (Renewed laughter).

67. In the new constitution it is necessary to preserve the balance between the different communities. You said that the European Association was entirely in favour of carrying out the Premier's Declaration in letter and in spirit. That declaration envisages the grant of self-government to India. In such circumstances, do you think that if you are given 13 seats out of 100, there would be a sufficient chance of Indians governing themselves ? (Laughter)—As planters we represent £70 millions sterling.

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Memorandum submitted by Mrs. A. RAHMAN.

WOMEN'S ENFRANCHISEMENT.

It was agreed by the Committee unanimously that women coming under Property Qualification should stand on the same footing as men—but in order to increase the number of enfranchised women it has been agreed that every adult women who is literate should get a vote.

I must also emphatically point out here that it will be no use increasing the number of women voters unless suitable arrangements are made for women to cast their votes. Knowing as I do my own country women and their customs and traditions I cannot conceive that they will come to the polling booths, if they have got to walk a distance of even 5 miles as is now the case and even more. Moreover the existing conventions will not allow them to come and vote along with men. Therefore I strongly urge that separate polling booths be arranged if possible with women polling officers, as near to one another as possible. Some may object to this arrangements as it will be too costly. I therefore suggest that women should vote through the Post Office.

WOMEN REPRESENTATIVES IN COUNCIL.

I think women should be given her place in the administration of her country. Now-a-days some are joining politics—and their enthusiasm should be directed to proper channels. I advocate the suggestion that women should be given every facility to come to the Councils.

Some members of the Committee have suggested that women should stand with men from the same constituencies " a fair field and no favour ". But I think that for the present our women are not so advanced to compete with men and there are other disadvantages and difficulties which I need not recount. So for a time I should strongly recommend—as it has been suggested, that 5 per cent. of the seats be reserved for women. Our Committee did not agree to any seats being reserved. Some members suggested that women should be elected from the Joint Electorates of men and women from the non-Muslim constituency irrespective of community. But as it was not

practical and also not supported by the minority communities it was abandoned.

Reservation of seats for women with a special electorate for them—in which women alone will vote for women irrespective of communities—would be an improvement—but I fear that it will again not have the support of minority communities—as we shall be disturbing the quota of members allotted to the different communities as there would be the fear that women of the majority community would be returned to the Council.

I should like to set forth a suggestion that Reservation of seats for women with proportional representation of communities will not bring any of the difficulties mentioned above. Women voters of each community will vote for their own women. I find that system has been suggested in the amended Questionnaire issued by the Franchise Committee and also in the Memorandum of the two Ladies in the Round Table Conference that a system of proportional representation so as to ensure some representation of women in the Legislature should be adopted. I have no hesitation in supporting the suggestion made above. I do not think it will be practical to solve the problem otherwise. As regards the distribution of seats assuming that 5 seats are reserved for women I recommend that 2 seats should be allotted to the Surma Valley, one for the Muslim Constituency and one for the non-Muslim Constituency; and 3 seats for the Assam Valley, two for the non-Muslim Constituency and one for the Muslim. There is a further suggestion I should like to make that women voters would be in such small numbers that it would hardly be practical or feasible to arrange separate polling booths which is essentially necessary for them. So I suggest that the voting should be done by post (as is the case in the present Commerce and Industry constituency and also as is done in the general constituencies in Pre-Reform Assam Council). If so I am sure almost cent. per cent. of the women voters will cast their vote. Votes by post may be difficult at first—but we shall have to begin somewhere—and as soon as the ladies will consent to cast their votes in polling booths this might be abandoned. As regards expense I am sure this will be cheaper. If the allotted number of seats are not filled by election the Governor—or the Governor in Council—should nominate the women for the vacant seats.

ASSAM.

Dated, Calcutta, 24th February, 1932.

PRESENT :

ALL MEMBERS OF THE INDIAN FRANCHISE COMMITTEE AND OF THE ASSAM PROVINCIAL FRANCHISE COMMITTEE.

Mrs. A. RAHMAN, Member, Assam Provincial Franchise Committee.

1. *The Chairman :* Mrs. Rahman, your views have been circulated to the Committee in a memorandum. You hold very strongly the view that in Assam women will not go to the poll unless separate arrangements are made ?—Yes.

2. Do you think it would be possible to find enough women polling officers and presiding officers who are themselves not engaged in politics ?—In towns it would be possible to find them. I agree that it would be hard to find them in other places.

3. The view of the official witnesses was that it would be very difficult to find enough women of the necessary experience and political independence ?—Yes.

4. Have you got any particular scheme of postal voting which you recommend ?—I suggested it because I thought for the time being at least it might be tried.

5. You see the difficulty in postal voting of ensuring that the vote is actually the independent vote of the individual, unless you can identify it ?—It does lend itself to a great deal of abuse ?—I quite see that. But the voting in the Commerce and Industry constituency is carried on in that way. Therefore I suggested it. The number of votes would be very small because the franchise is based only on the literacy and property qualifications.

6. The Commerce franchise is only for 200 or 300 people whereas there are 30,000 literate people in Assam among the non-Muhammadan population, and it will increase ?—As soon as it is found that women are quite willing to go to the poll, this system can be abandoned.

7. How long do you think it would take for the prejudice of going to the poll with men to disappear ?— It may take a good long time. Among the lower classes there is no *purdah*, but the upper classes have got it.

8. I am not quite certain about your proposal for the election or choice of women in the Provincial Council. Do you want co-option by the members of the Council themselves, or do you want women to be elected in some way ?—In this I suggest that women may elect members from among themselves. I have not thought about co-option.

9. One of the objections raised against co-option is that it produces the purely party type of woman. What you want in the legislature, if I may use the phrase, is the women's woman, and co-option is not likely to secure it because every party would prefer women who would support them ?—Yes.

10. Would it be possible, under your proposal, to allot the members to the constituencies in the way you suggest, *i.e.*, 2 seats for Non-Muslims and 1 for Muslims in the Assam Valley and one for each in the Surma Valley, and make these constituencies elect the women representatives in that way ?—Or would you group women into several constituencies, Hindu Women's Constituency, and Muslim Women's Constituency, and distribute so many seats, whatever the number was, in that way ?—That is what I would like if it is practicable.

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11. *Sir Zulfiqar Ali Khan :* In the case of Muhammadan women, do you think there is a general desire among the *purdah* ladies to participate in political agitation or activity ?—I suppose it will come on gradually. It will be paving the way for the future constitution, I take it.

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12. Do I understand you to say that education among Muhammadan ladies is increasing ?—Yes. It is increasing.

13. And is there a school or college for Muhammadan girls in Assam ?—There are schools, not confined to Muhammadan girls alone, but where Muhammadan as well as other girls can read.

14. Do they actually go ?—In some places they take advantage of it, and in some they do not.

15. Could you tell me if it would not be advisable for the present if the election or co-option of women was confined to the urban areas only, because in the rural areas education is not far advanced and they take no interest in political life ? Would it not therefore be feasible to confine this to the women in urban areas ?—Education is not, of course, so advanced in the rural areas. I would let the voters come from urban as well as rural areas, but the ladies who would be fit to stand would come, of course, first from the urban areas.

16. If they cannot come to the polling stations from the rural areas, if they cannot travel long distances, what is the good of giving them the vote ?—That is why I suggested postal voting. It was because I thought it would be much more feasible at present.

17. What I want to make out is this : that for the present, if election or co-option is confined only to urban areas would it not be more feasible than extending it all over the country ?—No. I was not going to restrict it to urban or rural areas ; if a fit person comes from any part of the country, she may be allowed the right.

18. Is there any chance of any fit person coming from the rural areas ?—All the constituencies are now divided, as we find, into urban and rural ; similarly in this case it may also be done. All should combine and vote.

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19. *The Hon'ble Mary Pickford :* There are two problems for women. There is the question of franchise and the question of securing some representation. May I take the question of franchise first ? You say that your Committee is against enfranchising wives and widows of men qualified to vote. On that point may we know your view ? That was the suggestion put forward by the Simon Commission ? —My own view is this. The maximum was put at 15 per cent. for the franchise, and within that women also will come. I thought it would be no use enlarging the franchise very much if we do not make arrangements for their voting. That was my idea.

20. On this question of making arrangements for their voting, don't you think that if women are going to claim the same privilege as men to vote and take a share in the government of their country, they ought to be prepared to put up with some inconveniences ?—That is why I say 'for the present', because I think women will come forward as they are coming forward now. More women will come forward later on. But for the present they ought to be treated with leniency in order to encourage them. That is one reason why I suggested literacy, as that would be likely to give impetus to the education of girls, who are not at present so educated as men. If they are so encouraged, the adults will think it their duty to educate their girls as well as boys.

21. You suggest literacy as a qualification for the voter in the general electorate of men and women, but not for the special electorate only ?—Not for the special

electorate only. I suggest literacy as a qualification for women in the general constituencies too.

22. Well, now, with regard to the polling stations, you no doubt heard the official witnesses yesterday and the objections which they raised to the effect that there were not sufficient independent women of education who could act as presiding officers and polling clerks for separate polling stations. If that is the case, do you think you can accept as a compromise that women should go to the ordinary polling stations so long as it is possible to provide a separate entrance ?—In all the rural areas the polling stations are 5 miles or more apart from one another. I have not been right inside a polling station itself, but I have seen how work is carried on there, and I think that at least for the present we may not anticipate their giving their votes with men.

23. In every place when the candidate is anxious to get votes, he will try to get the voters to the poll and makes arrangements for that. Do you think that would not happen in Assam ?—That happens in Assam too.

24. If the women's vote is sufficiently important for the candidate to bother about it, he will probably see that arrangements are made. Then on the question of reserving seats or securing that there shall be some representation of women in the Council itself, you have put forward the proposal for a special electorate of women voters to choose a small number of women. I imagine you take that to be only a temporary expedient until women are prepared to take their place with men ?—Yes, that is a temporary measure, for the time being.

25. As a means of securing representation in addition to the women elected from a general constituency ?—Yes. If any woman wants to stand from the general constituency, let her stand. This would be over and above that.

26. One argument that is often put forward against any method of co-option or reservation is that it will discourage women from contesting in the general constituencies. Do you think that in Assam there would be women who would be ready to come forward and contest in the general constituency ?—Well, I think, they would have to contest with the men.

27. What do you think of the objection that if women secure entrance to the Council by the rather easy method of co-option it will discourage them from trying to find a place by contesting with men ?—If they know that it is only for the time being that won't discourage them.

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28. *Mrs. Subbarayan :* Your objection to the enfranchisement of wives and widows is simply this, that it is no good increasing the number of women voters unless special arrangements are made for polling their votes. You don't object to the principle ?—There is another thing. I think if they are illiterate women, as in most cases they would be in Assam at present, it is rather difficult for them to get in along with men, as is the case with illiterate men.

29. If special arrangements are made to help the illiterate women as well as men, would you have any objection ?—I don't know. Just because they are wives and widows they should not get a vote.

30. Otherwise the number of women voters will be very small. It is to add to the number of women voters that that is suggested ?—That is why literacy should be the test. That would encourage them.

31. Even that won't encourage them very appreciably ?—Not now. In the future, we hope, it will.

32. And about the unwillingness of the women to go to the polling booths with the men, don't you think that it is partly because they are themselves shy and partly because they often hear the cry that they are breaking away from our social customs and that therefore religion is in danger ? And don't you think that till

society is sure that there is no such danger it is necessary to have some special arrangement ?—We have got a certain amount of convention and tradition. For the time being, we ought to give them some privileges to encourage them.

33. And also to educate the public ?—Yes.

34. As regards the system of voting by post, the Chairman has already pointed out that it will be open to abuse. In Madras the voting for the special constituencies of landholders and University is by post. Some of the women voters said that they never saw the voting paper and the husbands voted for them. Don't you think this will happen if we have voting for women by post ?—If that was countersigned, don't you think that would meet the point.

35. Won't it be rather difficult to get that done in the case of *purdah* women. Most of the voters will be wealthy women who observe *purdah* ?—It would be countersigned by one of their families. I don't see the difficulty of *purdah* there.

36. And then about co-option, you said one-objection was that party women will be elected; but when women who want to get into legislatures make up their mind to seek election by this method of co-option don't you think that from the beginning of the elections they will try to canvass the support of women electors for the candidature of those men who will support their candidature ?—As a matter of fact, I have not said anything about the co-option system by the Council. I have not thought about that. I should like to think over that before I answer any question.

* * * * * * *

37. Have you any branch of the All-India Women's Conference or the National Council of Women of India ?—There was a meeting in Shillong. I was not there when it was held. It is a branch of the All-India Women's Conference.

38. You don't know if they have considered our questionnaire ?—I was not there.

Sir Ernest Bennett: I am very much attracted by Mrs. Rahman's suggestion of voting by post. I have myself been a great advocate of it in Great Britain and it seems to me from what Mrs. Rahman says that under the present conditions it is quite impossible in practice for women to make their voice effectively heard. The number of women who will come to the polls is practically negligible. I should be quite prepared to adopt the suggestion of post voting. The difficulties and dangers of fraud have been rather exaggerated. The general impression that one gets on various Committees is that women are awakening to their sense of responsibility and are coming into the field and after some time when the ladies begin to cast their votes in polling booths, postal voting might give way.

The Chairman: Are you putting the question or leading the evidence ?

Sir Ernest Bennett: I suggest it because that was the only practical means at present.

39. You suggest that the voting paper should be handed to the woman by post or by some official and then collected through the post ?—Yes.

I can't see any loophole for fraud there.

* * * * * * *

40. *Mr. Butler:* You realise that you will leave a great many without any voice in the affairs of the country by your proposals that literacy should be the test for the vote ?—I quite see that point, because I am keeping out the wives and widows.

41. You are leaving out a great many women in India, in fact, a majority ?—How else would you like to bring them in ?

42. I was just going to ask you. Have you ever thought of applying the group system ?—I have not thought of it.

43. Don't you think that would go a very considerable way and that would interest them in politics without making them travel ?—I am not quite sure whether the group system would be possible at present.

44. *Dr. Ambedkar :* Do I understand that you are opposed to the principle of co-option ?—I have not considered it.

45. I think your objection to the extension of women's franchise was that there was no use extending the franchise and bringing more women on the electoral roll if there was no possibility of women coming to vote ?—That is one big reason.

46. Supposing it was made possible by a sort of reservation of seats for women in the general electorate or in a separate electorate. For instance, where there are separate electorates would not this fact that a seat was reserved for a woman in the general constituency help to bring the women to the polls in a larger measure than would otherwise be ?—Take, for instance, a Muhammadan constituency. They have to-day separate constituencies and separate electorates. Assuming for the moment that it was possible to reserve one seat for a Muhammadan lady in a separate Muhammadan constituency, would not this fact bring a larger number of women to the polling booths and also make provision for the representation of Muhammadan women ?—This is what I say will happen in future. For the present we ought to encourage them by making separate arrangements. For the present, I think, they need a little training and some encouragement.

* * * * * * *

47. *Khan Bahadur Aziz-ul-Huque :* I take it from your evidence that you realise, in regard to the question of emancipation of women, that it will not be desirable to break away all at once from the conventions and traditions of the country ?—Yes.

48. You do realise the importance of that ?—We have got to. That is why I suggest separate polling booths.

49. Having realised that don't you think that if women's franchise is granted at all, it would be better to restrict it to those who can exercise the vote properly rather than creating administrative difficulties and having so many polling booths ? —That is why I say that literate women should have the vote.

50. You agree, in general terms, that the women's franchise may be restricted. Which do you think is better,—I am going to give you a concrete case—to have a constituency of 30,000 women or a women's constituency of 300 who can really know what the vote is and can exercise it ?—I say therefore that literate women should get it.

51. What will be your qualification of a literate woman in your province ?— One who can read and write, according to the census.

52. Do you think that is enough to exercise a vote ?—I do think it is enough. We have not got any standard of education among women, especially the generation that has gone before. For the future generation you can have a standard, if you like. But there are lot of intelligent ladies who can exercise the vote. They may not have diplomas for passing any examinations.

53. Can you tell me how many women there are in Assam who have read up to the lower primary standard ?—A good many. I can't give you the figure.

54. Roughly ?—Not even roughly. I think we never said any educational qualification. We have said literacy according to the census.

55. The point is that in having the women to exercise the vote in every district and constituency means the creating of abnormal difficulties especially in view of the existence of *purdah* ?—That is why I suggest postal voting.

56. Are you aware that *purdah* is so strict that a lady of one house will not cross the street to go to the neighbouring house ?—That is one reason why I suggest the post. I know *purdah* is very strict in some parts.

24th Feb. 1932.] Mrs. A. Rahman. [*Concluded.*

57. The difficulty of the post comes when you get 50.000. Do you think that is a manageable constituency ?—We have not got a voting strength of 50,000 now.

58. To what length can you go ? Not more than 2,000 certainly ?—Why not.

59. It means expense. You have got to send the voting paper registered and then send it back. In any case it would mean more expense ?—Not more expense than in getting to the booths.

60. Certainly, as between the two it is more ?—I do not agree to that.

61. *Major Milner:* At present, the franchise is restricted practically to men and women of property ?—Yes.

62. Your proposal is that only the women who have some literacy qualification should have a vote ?—Yes.

63. Is not literacy a matter of means ? Those who have means to join a school may become literate and those people who have not any means and cannot join a school do not become literate ?—You mean those who cannot pay do not become literate. That is so. That is quite possible.

64. You are assuming that most women, with the exception of a few, would become literate ?—Yes, that is quite possible.

65. Again you are proposing, if your suggestion was agreed to, to confer the franchise only upon those women who have the opportunities over and above those of the great masses ?—We want intelligent votes : we want the literate person.

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North-West Frontier Province

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NORTH-WEST FRONTIER PROVINCE.

Memorandum by the Development Commissioner, North-West Frontier Province on procedure at elections.

* * * * * * * *

2. The rules for elections to the North-West Frontier Province Legislative Council will be found in the Government of India notification No. F.-73-II of the 9th February 1932, which promulgated the statutory rules, sanctioned by the Secretary of State. A copy of this notification*, bound up with the rules and regulations made thereunder, was forwarded with my letter No. 279-S. of the 12th March 1932 as an enclosure to the Chief Commissioner's memorandum in reply to the questionnaire. The qualifications of electors will be found in these rules and Schedule II thereof.

3. Electoral rolls were prepared and revised in accordance with the regulations published thereunder with *North-West Frontier Province Government Gazette* notifications Nos. 201-R. and 202-R. of the 9th February 1932, to be found at page 29 *ff.* of the aforementioned bound collection*. In drawing up the Electoral Rules the qualifications for electors were based on the qualifications recently fixed for electorship to district boards and municipal committees. These were thought generally suitable, and there was the additional advantage that lists of voters for these bodies already existed, and only by making use of them was it possible to put the elections through in the short time allowed by the wishes of the Government of India.

These rolls were, however, not in such form as to permit their immediate use for council elections. For instance in the case of all district boards the voters' rolls were prepared without reference to community as there are no separate communal electorates for district boards.

4. The rolls from local bodies' offices and the necessary staff of village revenue accountants and supervisors from each district were collected in Peshawar, and fresh rolls according to council constituencies were prepared in accordance with the regulations already referred to, under the supervision of the Reforms Officer. The revised rolls were then published (nominally under the orders of Deputy Commissioners responsible for the compilation of rolls of general constituencies) in order to allow persons, whose names had been omitted, to claim to be placed on the rolls; and in order to give opportunity for objection to the inclusion of any name. In practice objections were negligible in number. All claims and objections were to be handed in at Tahsil headquarters on a fixed date. It then became the duty of the Tahsil officials, having compiled registers of claims and objections, to hand them over together with the originals to the revising authorities. Revising authorities were chosen from the ranks of officials, honorary magistrates and members of the Bar, and were designated by the Deputy Commissioners in such numbers as appeared requisite to dispose of claims and objections received. Having passed their orders on all claims and objections, revising authorities forwarded their registers and the originals to the officer responsible for the compilation of the rolls (*i.e.*, the Deputy Commissioner of the District). The Deputy Commissioners forwarded the papers, in charge of a member of their revenue staff, to Peshawar where the revised rolls like the originals were prepared under the supervision of the Reforms Officer. After completion of this process the revised rolls were returned to the Deputy Commissioners for publication under their orders in accordance with regulations. It will be noted that though Deputy Commissioners

* Not printed.

were nominally responsible for the compilation of rolls the actual work was done by members of their staff under the supervision of the Special Reforms Officer—who corresponds to the Elections Commissioner in the Punjab.

5. The next step was the publication by the Local Government of a notification calling on constituencies to elect members in accordance with rule 27.

6. This concludes the preliminary stage of elections. The procedure thereafter will be found outlined in the instructions* of which copies are enclosed with this memorandum, *viz.*:—

(1) No. 313-R., dated the 22nd February 1932, from the Reforms Officer to all returning officers.

(2) 615-R. of the 8th March from the same to all Deputy Commissioners.

To the latter letter is appended an election programme, a sketch of polling stations and the text of the regulations for nominations and elections made by the Local Government under rule 15 of the North-West Frontier Province Electoral Rules already referred to in paragraph 2 *supra*. I enclose two specimens of a ballot paper* as prepared for the Other Towns (Muhammadan) and the Mardan, Kamalzai *cum* Baizai constituencies.

These enclosures provide information as to detailed instructions and a colloquial commentary describing the actual procedure.

7. As will be seen, after the receipt and scrutiny of nomination papers, candidates are given an opportunity to withdraw. Thereafter a final list of candidates in each constituency is prepared and published. Where only one candidate survives the processes of scrutiny and withdrawal, he is declared elected. In other cases it becomes the duty of the Deputy Commissioners to prepare lists of polling stations for each constituency for which polling will take place in his district and to appoint the necessary presiding and polling officers. The number of these polling stations in any given area must obviously be governed by the number of persons who are to vote. Polling hours are from 9 A.M. to 4 P.M. with an interval of 30 minutes at 1 P.M.; and polling at any given station of any given constituency must end on the first day. The difficulty of keeping the poll open for a second day is considerable. It is generally estimated that 500 to 700 persons can vote at any one polling station during the hours allotted. The polling programme of the Peshawar District is designed to deal with 60,000 to 70,000 voters. The words in italics and within brackets on the programme are the names of constituencies and the words in heavy type describe the situation of polling stations. It will be observed that there are frequently several polling stations at one place though a different circle of villages is allotted to each station. Details of this allotment are published in the detailed Urdu programme referred to at the head of the English version.

This arrangement is necessary in order to avoid the dispersal of police forces available for keeping order. So also in the interests of peace, in this district, it was considered better that as far as possible the whole of a constituency should poll on one day (see *e.g.*, the polling stations 1 to 10 on the 7th April). This latter plan is not however of universal application and much depends on local arrangements for officers and police. By polling the whole of a constituency in one day it is hoped to avoid the cumulative effect of excitement, and the possibility that untoward incidents, on the first day might be followed by yet more on subsequent days.

Responsible officials are selected as presiding and polling officers. It is understood that it has been found elsewhere unsatisfactory to employ non-officials. This consideration governs in a large measure the number of days occupied in conducting an election. The number of suitable officials being limited and the

* Not printed.

number of voters who can poll in a day at one polling station being fairly constant it follows that the greater the number of voters the greater number of days must an election take.

8. It will be observed that each polling station is supervised by two officers, one of whom is designated presiding officer and the other polling officer. The voter on entering the polling station finds the polling officer sitting at a table supervising the work of a number of patwaris (village revenue accountants). It is the duty of one of the latter to enquire from the voter his name and his number on the voting list, and of another to enter the name on the counterfoil of the book of ballot papers and to hand out the ballot paper to be punched with the official mark and given to the voter. In the meanwhile the patwari with the list puts a pencil mark through the name of the voter. Candidates, or their agents are present at these proceedings, and can challenge the identity of the voter. The procedure on a challenge will be found described at paragraph 14 of letter No. 615 from the Reforms Officer referred to in paragraph 6 *supra*. There also will be found the procedure prescribed if a second voter appears claiming a name and number already struck off on the list. Before handing over the ballot paper the patwari takes the signature or thumb-impression of the voter on the counterfoil for the purposes of subsequent identification, if necessary.

Having received his ballot paper duly recorded and punched, the voter enters the other half of the polling station in which sits the presiding officer alone with the ballot box. On arrival there the voter marks his ballot paper, folds it and places it in the box and leaves the polling station. If the voter is illiterate, he may ask the presiding officer to mark his paper for him. Where there are only two candidates efforts have been made to render marking by the presiding officer unnecessary by the use of colours as in the specimen ballot paper* A. The lack of time for elaborate printing has rendered the extension of this device impossible in the present election, and it is doubtful in any case whether were candidates to exceed three it would be practicable to make use of the colour method. Wherever the number of candidates exceeds two, dots have been placed against their names for the guidance of illiterate voters.

At the end of the day it is the duty of the polling officer to close and seal the box and hand it over to the police for despatch to the proper returning officer named in the schedule to the regulations for nominations and elections. The subsequent proceedings of the returning officer are described in paragraphs 30 to 48 of the Regulations, and call for no particular comment.

* Not printed.

PESHAWAR.

Dated 6th April, 1932.

PRESENT:

ALL MEMBERS OF THE INDIAN FRANCHISE COMMITTEE WITH THE EXCEPTION OF SIR ZULFIQAR ALI KHAN, AND ALL MEMBERS OF THE NORTH-WEST FRONTIER PROVINCE PROVINCIAL FRANCHISE COMMITTEE.

Khan Bahadur Nawab MUZAFFAR KHAN, C.I.E., Reforms Officer, North-West Frontier Province.

1. *The Chairman :* Apart from your duties in the North-West Frontier Province, you are the proper authority dealing also with the Punjab province ?—Yes.

2. There are one or two matters especially on the problem of polling that I would like to discuss with you. You think that practically a limited number of people can be polled at a single time ?—Yes.

3. We have taken a great deal of evidence in other parts of India and also witnesses from Ceylon which lead us to the conclusion that by modifying the methods in various ways it is possible to poll a much larger number ?—There may be methods.

4. I understand the system which you adopt is this, that you have two patwaris, one of them with the roll and the other issuing ballot papers. In addition to that you have a polling officer supervising the two patwaris ?—Yes.

5. In addition to that you have a presiding officer in the next room where the actual ballot box is placed ?—Yes.

6. Do you think it possible to dispense with the polling officer, for instance, and to have one presiding officer to supervise and two or three groups of patwaris issuing ballot papers?—It is not possible ; here a polling officer has got his own duties. We allot sometimes from 7 to 8 patwaris when people make a rush in a particular hour of the day. It is difficult in rural areas because we cannot compel them to come at 9 o'clock ; sometimes they come at 11 o'clock and even later, and then more than two sets of patwaris are necessary. But they are petty officials and there must be a responsible polling officer to supervise the issue of ballot papers by electors.

7. You think it is possible for a polling officer and presiding officer to supervise two, four or six patwaris ?—Yes ; but I would have a special officer in the compartment where ballot boxes are kept. The patwari is a petty official and unless you have a responsible officer who knows the rules and has studied things there will be confusion.

8. We have taken evidence with regard to the colour box system and it has been suggested that it works very well, the colour box system or the symbol system whereby the illiterate voter is not called upon to make any mark at all on the paper. There are two advantages in that system ; the first is that the illiterate voter makes no mark at all ; and the second is that the ballot is secret ; the ballot officer who is supervising the ballot boxes cannot really tell which box it goes to so that you do get secrecy. In nearly every province when we discussed the thing in detail we have come to the conclusion that two clerks and one polling officer could deal with a thousand voters a day ?—More than that.

9. If you could deal with 1,000 voters per day for every two clerks and a presiding or polling officer, it is then possible to poll between 10 and 15 per cent. of the population without difficulty ?—Yes. There is one difficulty about the coloured box system. It would depend upon the number of candidates. It would be possible

in this province because we have mainly one community, Muhammadan, and we can allot different polling stations if the community is large; but in the Punjab it would be difficult; supposing we had three constituencies polling at the same time and we had 9 candidates, 3 Muhammadans, 3 Hindus and 3 Sikhs. I remember in the Punjab we had as many as 9 in a single constituency. But even if there are 3 candidates in each community, it means that we should have 9 coloured boxes. For an uneducated illiterate voter it would be difficult to distinguish between the colours; the sub-division of colours might confuse the voter. I think the other suggestion about dots is more workable. Even if there are 9 candidates we can give them different dots on boxes.

10. In Bombay they use a lion, or elephant, or bicycle as a symbol and they do not seem to find any difficulty in working it?—There is one difficulty I foresee about that (even in numbers we have had difficulty in giving precedence to some). These symbols have certain associations; for instance, a crow, or a parrot, or a donkey or camel. Candidates would not like these symbols against their names and instances could be multiplied.

11. We have met that difficulty but it is not insuperable?—But the candidates are very nervous. In the present elections we allotted different colours, red and black. Red in Punjabi means "Surkhru or successful" and I have received complaints that those who received red went about saying that they were successful and that the black meant failure. These are the difficulties but as you say I don't think they are insurmountable.

12. There are proposals about enfranchising between 10 and 15 per cent. of the population. You will agree that it is practicable from an administrative point of view (there may be some other considerations) to poll between 10 and 15 per cent. of the population by simplifying the procedure?—Not by our present methods but by dots or some other system we might.

13. Are there any special problems or difficulties of an administrative character about polling in this province?—The difficulty I have so far experienced is in securing a suitable number of presiding and polling officers. There has been some difficulty in the printing of ballot papers, but that is not much.

14. Do you find it is possible to use many non-officials for polling and presiding officers? Candidates and other people object to non-officials on the ground that they are influenced by party feelings and other considerations of relationship or caste?—That can be got over by having Muhammadan officers amongst Hindus and *vice versâ*. But non-officials have no sense of duty or responsibility.

15. It has got to grow?—Until it grows there may be difficulty. Yesterday I had a disappointment. There were non-official members of a local college as polling officers. The officials were very punctual. For the non-officials I had to wait. We were distributing ballot papers. The sun was rather hot and perhaps that was too much for them. There were no chairs provided and they slipped away and I never saw them till the end of the day. We might get over these difficulties gradually but unless the non-official realises his responsibility we will have difficulties.

16. I have heard it said that in the preparation of the roll there were a large number of names which were left out and then the applications were put in. Has there been any difficulty of that sort?—The Government officers played up, I think. It would have been difficult otherwise. In one constituency the original number of electors was 3,000. We received 10,000 new claims approximately of which we accepted more than 7,000. But for the very prompt action of the Assistant Commissioner it would have been very difficult to dispose of them within the short time of 15 days allowed for deciding claims.

17. How was it? You got so many additional names?—Our preliminary electoral rolls were those of the district boards. Some of the new qualifications that we proposed for the Council resulted in this large number of new claims.

18. *Khan Bahadur Aziz-ul-Huque:* There would be no difficulty in the preparation of the roll, I take it, in case there is sufficient time available ?—Generally, I think, we give 20 days. In future there would be no such difficulty. That was our first election.

19. What is the total number of voters allotted per Presiding Officer ?—In rural areas between 800 and 900.

20. Even now ?—Yes.

21. In urban areas ?—Something between 500 and 700.

22. If that is the polling strength per officer, is it possible for the Frontier Province to have adult male suffrage ?—The total population of the Frontier is 2,425,000. Assuming that the average adult male population is 25 per cent. of the total population, it comes to about 6 lakhs.

23. Your polling arrangements cover 7 days ?—Yes. We allow 1 day for travel.

24. Therefore in a day you have to provide for polling about 80,000. Assuming that 800 is the polling strength of an individual officer you require 100 officers in the whole of the Frontier and I was informed by the Chairman of the Provincial Committee that as a matter of fact it is possible to get that number if we hunt for them. Thus, on that basis don't you think it is feasible administratively to have adult male suffrage for this province ?—What would be the number of people who will be qualified to vote ?

25. Every adult male person. It will be about 6 lakhs ?—You can't deprive all the departments of their officers.

26. Do you mean to say that 100 officers will not be available ?—In such a small province that number may not be available.

27. For 7 days you can't get them ?—Even now we have received protests from various departments.

28. That is inevitable. Every Department will protest. You can leave aside that question. For 7 days 100 officers are available ?—Yes. It is a question of simple arithmetic then.

29. Supposing 100 officers are available for 7 days, is it administratively feasible to enfranchise the adult male persons of this province ?—We will have to expand it over a larger number of days.

30. Six lakhs of voters in 7 days means about 80,000 per day and if you take the polling strength of one officer to be 800 you would require 100 officers ? Is there any objection to have adult male suffrage ?—No. If it could be administratively feasible, I think it would be desirable.

* * * * * *

31. Under the present qualifications is there any class of people who are excluded and who should be included—tenants at will, non-agriculturists or any such big class which ought to have representation and are not represented. Is there any such feature ?—I have not thought over it very much.

32. In Punjab we were told that the non-agriculturists have been excluded. I want to know as to whether there is any class or community which has been excluded from franchise altogether here also ?—I could not tell you off hand. Probably some of the tenants may have been left out. I think the franchise here has been liberal because any tenant who owns a house worth Rs. 600 is enfranchised. I would not like to give a reply unless I have considered it.

33. Could you also let us have an analysis as to what classes are really enfranchised on the present basis ?—I will do it.

34. *Major Milner:* About the polling figures in the Punjab with the present system where the Presiding Officer has to mark the ballot what number can fairly be got through in a day with one Presiding Officer, one polling clerk and two Patwaris ?—I think we have fixed 900 as the number. We generally presume that 66 per

cent. of the people will actually turn up. When we allotted 900 electors to a certain polling station, we proceeded on the assumption that all are not likely to come. We took the figures of the last three elections and we found that in rural areas something between 50 and 60 per cent. turned up except in exceptional cases.

35. You would allow 900 electors to a polling unit ?—Yes.

36. To what extent could the figure of 900 be increased if you have a second unit or a polling clerk and two Patwaris and a third unit of two Patwaris and a polling clerk. To what extent reasonably and fairly could this figure of 900 be increased ?—Not under the present system even if you increase.....

37. Supposing another polling clerk and another two Patwaris were added why could you not double the 900 ?—As I pointed out you can't expect all the voters to come regularly from 9 o'clock to 4 o'clock. If they did we could possibly dispose of a larger number.

38. That would not alter the figure. If you do 900 with a certain rush, you could do 1,800 with double the staff with that rush ?—If we increase the number of Patwaris, we might do a little over that.

39. It is quite fair. When you have 2 units or more there has to be a process of selection. When a voter comes in instead of going to one he will have the choice of going to another set. There will be a double set of clerks and the register would be divided up between them. One might take from 1 to 900 and the next from 900 to 1,800 and there would probably be an officer posted to direct the voter to the proper clerk and therefore there would be little delay. To what extent could that system be extended and what increase would there be in the figure ?—I would not go higher than 1,200 or 1,500.

40. With two polling clerks and four Patwaris ?—Yes.

41. Why do you reduce it from 1,800 to 1,200 ?—Because we have to take into account the condition of the constituency and there would be comparatively greater rush at any one time. When you increase the number of electors you should also take into consideration that the rush would be greater too.

42. But you double the staff ?—I don't think it would be safe to go higher than that.

43. Supposing a third polling unit and a fourth polling unit were added, how many polling units could you extend to ?—There should be no difficulty is securing a proper number of Patwaris.

44. How many units do you think you could extend that system to ?—With 6 to 8 Patwaris we might safely increase the number.

45. You propose 4 units, first to deal with 1 to 900, second from 900 to 1,200, third from 1,200 to 1,500 and the fourth from 1,500 to 1,800 ?—In that case we could double the figure.

46. You could do 1,800 with 4 units ?—Yes.

47. At present it seems to me that your Patwari's work is duplicated. I don't see the necessity of 2 Patwaris. Why not one Patwari and one polling clerk ?—It is necessary. One has to take the thumb impression and the other has to read out the entry.

48. Let us assume that the thumb impression is done away with ?—If you do away with all these formalities nothing remains. Then the question of personation comes in. If you do away with the thumb impression there is the risk of personation.

49. Surely the very fact of putting the thumb impression keeps away personators ?—It is of tremendous value.

50. The real object is that in the eventually of an election petition being presented it would be possible to verify the real person ?—I think personally that it prevents personation.

51. It has the moral effect ?—If you don't take the thumb impression they will be free altogether. I am sure it would lead to a good deal of personation.

52. Assuming that identification was done away with and the only thing for the clerks and the Patwaris to do was for one of them to look up the voter's name and say 'is that your name' and for the second man to give the voting paper, to what extent, fairly and reasonably could the figure of 1,800 might be increased then ?—If you do away with the thumb impression, I think, we could double the number again because the thumb impression does take a long time.

53. Well, on that multiple system if those complications were done away with you could do 2,400 ?—If you do away with the thumb impression.

54. Will those figures required revision if the Council and the Assembly voting go together ?—No, that does not take more time. Once a voter has voted for the Council he is dealt with separately for the Assembly.

55. Would that not reduce the speed or require additional staff ?—No. Out of 20 there are one or two such men who go to the Assembly. As soon as they have passed this polling booth relating to the Council those officials have got nothing to do with him. They are dealt with by a separate officer. Both are carried on simultaneously and no time is wasted.

56. We might take it that you could do 2,500 or 3,000 in a day with those complications done away with ?—With this reservation that to do away with those formalities would mean a great danger of personation.

57. Could you tell us how many officers in a district, in your view, might fairly be taken as competent to act as Presiding Officers ?—I think at an average 10 or 12 Presiding Officers.

58. Mr. Jenkins told us that there were 70 gazetted officers in his own district—it is rather a special district—and he estimated that 30 might well be spared. What would be the comparative figure in the North-West Frontier Province ?—Except for Peshwar where you might get a larger number, in other districts you won't get more than a dozen suitable officers.

59. *The Hon'ble Mary Pickford :* At the last election in the Punjab, I gathered that the percentage of women who voted being on the register was very small ?—Yes.

60. Do you think that that was due to there not being special *purdah* arrangements ?—It might be due to that to some extent, but also due to want of interest.

61. Can you tell me to what extent it is possible to have special *purdah* arrangements ?—It would be impossible.

62. You don't do it at all ?—It is not possible. If you take men as polling officers then it would be possible. It would be difficult to get women presiding and polling officers in the Punjab.

63. So far, I gather, no attempt has been made to get women presiding officers ?—I think some people did approach me. I pointed out that if they wanted men presiding officers we might think over the question of *purdah* arrangements. They did not agree with that idea.

64. In some other provinces, they would be satisfied with men presiding officers so long as there were women assistants in the polling booths to look after the voters ?—I think, this might remove the objection to some extent if you have respectable ladies.

65. And separate entrances for women, so that they do not have to jostle with men ?—That would bring some more.

66. Do you think that would be possible first of all in the Punjab and secondly here ?—I think, it would be very difficult. We have difficulty even with our present presiding officers.

67. If you have separate entrances and women assistants ?—Then we will have to select a room in which there are 4 or 5 entrances. That might bring more people. If we could get suitable buildings where we could have separate entrances, then it would be possible.

68. In the Punjab, I think, police stations are generally used ?—That would not look well. We hold the elections near the police station.

69. What is generally used ? Are there any special buildings ?—For actual polling, that is in the open air in the Punjab.

70. If you have actual polling in the open air, it is only a question of management to get separate entrances ?—Separate entrances would be all right to some extent, but when they go to the presiding officer there would be the same jostling. Even if there is a separate entrance and you have got no female presiding officer, the same question would arise. Then there would be men electors coming from one side and women electors coming from the other side and there would be some jostling in the room. Unless you have women to act as presiding officers, I think, it would be difficult.

71. You are assuming that the ballot paper is to be marked by the presiding officer. If the coloured box system or the symbol system is used where the woman voter has got to put the paper in the box only, then the difficulty is not so great ?—The difficulty would remain. Under that particular system there would be men rushing at the same box and women rushing at the same box. I am considering it from the point of view of women who observe *purdah* really. For others who are not so strict it may be all right. I think a woman who really lives in *purdah* would not like that.

72. Do you think arrangements could be made in this province, assuming that in future there would be women voters ?—I think, women in this province would still object to coming to the polling stations where men act as presiding officers and there would be difficulty in securing appropriate female presiding officers.

73. If you take the thumb impression, there is no difficulty about identification ?—I don't think there would be any difficulty about identification.

74. Then she can wear the veil all the time and she would not mind very much ?—Some of them would not mind coming out wearing the veil. But a certain class would not come out at all even with the *burqa*.

75. *Mrs. Subbarayan :* I do not understand why you said that even if there were separate entrances, men and women would go into the apartment together ?—After entering the polling booth, they will again be together.

76. How can they be together ?—Although they enter the polling booth by separate entrances, they will record their votes together.

77. You mean to say that they will meet together inside the booth when they have to take the ballot paper from the presiding officer ?—Yes. If there is a separate polling officer, then it will be all right. There again, if a woman has to mark her vote along with the male voters, there would be men and women who might take exception.

78. But in the rural parts, *purdah* system is not very strong ?—It is not among lower classes.

79. Would they not be satisfied with separate entrances with men polling officers ?—I think they would object. I am telling you the feeling of the average woman in this province.

80. That is probably because they have not had experience yet of women going to the polling station to record their votes ?—Yes.

81. If the voting strength of women is considerable, then probably *purdah* would not stand in the way ?—Then *purdah* might disappear gradually.

82. Do you think it will be possible to get the help of honorary women workers or wives of officials or educated women who are interested in public work, to help the women voters at polling stations ?—I do not think they will come forward. Even in getting suitable men there would be difficulty. It is much more so in the case of women.

83. Are there any women's organisations in this province ?—I could not tell you that. I have been here only for three months.

84. If there are any women's organizations, I suppose Government can get into touch with them and secure their help during the elections ?—Against that there is some prejudice. Gradually we may be able to remove that prejudice. I think you will find this prejudice not only among the Muslims but even among the Hindus of this province. Gradually we may succeed in removing that prejudice.

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85. *Mr. Butler :* Do you find the coloured ballot paper very difficult to print ? Is it difficult to print in more than one or two colours ?—In case only two colours are necessary, much difficulty would not be felt. But if you have to go on increasing the number of colours, if you have to print say six colours, it would be difficult and the voter also would be confused.

86. I got ballot papers printed in my constituency in more than one colour. It is a very expensive business ?—I do not think it is very expensive here. The Government Press does it very well.

87. So this method would not break down ?—It will not break down. It is quite easy. We had a very limited period of 4 days to get all these papers ready and we managed it.

88. You would prefer the coloured boxes ?—Not the coloured boxes already mentioned. I mean to say that if there are to be only two or three coloured boxes, the thing would be easy. If, however, there are many candidates contesting a seat or seats in one polling area composed of Hindus, Muhammadans and Sikhs, then the coloured box system would lead to great confusion and the voters would be perplexed.

89. You would require a great many colours ?—The more the colours the greater the confusion.

90. *Lord Dufferin :* Just look at the plan of the polling station before you. You said in reply to Major Milner that you could poll 2,500 voters in one of these polling stations ?—Yes.

91. You cannot have your voters jostling against one another seeing that secrecy of the ballot has to be maintained. You have somehow got to regulate the flow of voters through the entrances shown in the plan. If you have an even flow through an entrance you will have 9 voters every minute, but when you have an uneven flow, it will probably mean that you will have 30 to 40 voters going in every minute?—As soon as a voter secures his ballot paper, the rest is simple process. It is only a question of how many sets of patwaris you provide for marking the votes.

92. But a voter after getting his ballot paper, has to mark it and put it in the box shown in the plan ?—That would not be difficult. In a second he can drop the paper into the box.

Memorandum submitted by Mrs. KAMAL-UD-DIN.

While it must be recognized that adult suffrage is for the time impossible its acceptance as a goal necessarily involves a very considerable extension of franchise even if this extension is to be kept within the limits specified in the questionnaire. It must also be admitted that women although they constitute nearly a half of the population are far more backward than men, and in view of the social system

and the customs generally prevailing in the Province special means will have to be adopted if women are to have any kind of voice in the administration of the country.*

While franchise for women should be so extended and regulated that it might become possible for women to send in their representatives in a general constituency or at least to have a real voice in the selection of members of the legislature, it is at the same time necessary so to arrange matters that the vote could be exercised intelligently.

Taking into consideration the fact that on account of general social conditions and customs particularly that of observance of *purdah* it will not be easy for women to exercise the vote with the same ease and facility as men it would seem the more necessary so to extend the franchise and to liberalise it as to make women's a determining voice in matters in which they should be interested just as much as men and in some even more than men. Realizing the comparatively subordinate and dependent condition of women generally in the Province and yet recognizing their right to have a voice in the running of the Province it would appear essential to have a lower qualification for women to become voters than for men in order to get anything like a reasonable number of women on the register and yet this widening of the franchise that is suggested should be such as would encourage advancement of women in democratic institutions and Parliamentary Government and in taking an intelligent interest in politics.

Of course all women who are eligible under the general qualifications must necessarily get the vote, but it would be obvious that by this means only very few women will be enfranchised. The suggestion of giving a vote to wives and widows of persons having some special qualifications would also widen the franchise, but it should not be forgotten that many of such voters would hardly exercise it in the prevailing conditions, and in order to make franchise a real privilege, to infuse interest in the possession and exercise of vote and to encourage others who may not have the vote to obtain it it would seem the best course to give the vote to a class who would use and be able to use it.

The necessity of education for women, particularly in a backward Province like ours, is imperative and urgent enough to make it very desirable that the extension of the franchise suggested should primarily be in the line of recognition of literacy as the main qualifying factor. By literacy one would mean the ability to read and write any of the common vernaculars such as Urdu, Pushto, Hindi and Gurmukhi. A most suitable method would be to have a literacy standard whereunder every literate woman could be given a vote and so encouraged to take an interest in her country's affairs.

The extension of vote further on the lines suggested need not be a difficult matter or present insurmountable difficulties in the preparation of the register of electors or in polling. While giving full recognition to the fundamental custom of *purdah* prevalent in the Mussalman population public-spirited and educated women could be found who would be prepared to help in the preparation of registers and scrutinize the correctness thereof. I am sure ladies connected with education or otherwise interested in social and educational amelioration of the women of the Province could be found willing to act as Returning Officers, and thus while fully recognizing the social susceptibilities of the women of the majority population in the Province suitable methods could be found to enable them to express their views, and that being provided I am sure they would come in ever-increasing numbers to the polls and demonstrate that they are capable of taking as intelligent and keen an interest in the administration and affairs of their Provinces as anybody else. Special places could be provided all run by women where women voters could come and record their votes without difficulty or embarrassment and if literacy is going to be considered as the line in which direction franchise could be extended the polling need not present any special difficulty and would even appear in certain matters to be easier than that by men who are illiterate. I have stated

Memorandum by Mrs. KAMAL-UD-DIN. [*Concluded.*

this to show that elections would be administratively manageable in a satisfactory manner and without causing any inconvenience if literate women were given the vote.

Feeling that even all the above might not sufficiently interest women who would be otherwise inaccessible and to make the legislature a mirror of the opinion of the general mass of population and to work towards adult suffrage as the final goal a further suggestion would be to introduce in addition a group system under which particularly in rural areas in villages say 20 women could be given one vote—thereby giving the legislature the benefit of the opinion of those who would otherwise not be reached at all. This suggestion cannot be met by any objections rendering it unworkable especially as in the rural areas the rigours of *purdah* are generally less stringent. If found feasible the same method could be extended to towns, and even if a few illiterate women thereby got the vote, the vote as being given to those that desired it would be eminently justified, as under this system only such women are going to get a vote as would like to exercise it on behalf of their sisters. They need have no other qualification than that of intelligent interest which would be demonstrated by their coming forward as representative voters.

As to representation of women in the legislature I am in complete agreement with the suggestion contained in paragraph 1 (3) (*c*) of the questionnaire. The alternative proposal might be to reserve seats and have a special constituency at the same time not depriving the women to vote in the general constituency as above suggested. But under the present circumstances it appears to me that the course suggested in the questionnaire would perhaps be a preferable one at least for the time being.

My conclusions briefly are that the vote for women be extended so as to give the vote—

(*a*) to all women who are entitled to it on same terms as men,
(*b*) to wives and widows of all voters specially qualified,
(*c*) to all women over 21 years who conform to a minimum standard of literacy, and
(*d*) to groups of 20 women each having a representative vote, particularly in the village constituencies.

Mrs. KAMAL-UD-DIN.

1. *The Chairman* : You are speaking here in your private capacity or do you represent any organisation of women ?—I am speaking in my individual capacity.

2. I do not know how far you have heard the objections raised by other people that there is a strong feeling against the exercise by or the grant of vote to women. What is the view of the Muslim women of this province so far as you are aware ?—Do they want the vote ?—Yes. They want it.

3. Would you give us your reasons for saying that ? Did you have any meetings held to consider this question ?—As I had very short notice, I was not able to make enquiries, but I am sure that they want this right and they desire to have some voice in the legislature to protect their rights.

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4. The point has been raised that if *purdah* is very strict, it will be very difficult for the *purdah* women to come to the polling booths and take their place alongside of men. That would be a great obstacle in the way of the exercise of the vote. What would be your view ?—If separate places can be arranged for them with lady officers, they will be come and exercise their franchise easily.

5. It is important to have separate arrangements for women voters ?—That is so in this province at present.

6. Would it be enough if we have polling booths so arranged as to have separate entrances and exits through which women can come and go independently of men

and inside the booths there is at least one woman to tell them what to do, or would it be necessary to have independent polling stations manned entirely by women which is necessarily rather difficult to arrange ?—I think it will be rather easy for rural areas, and for urban areas special arrangements can easily be made.

7. In the country they would be able to come in accompanied by their husbands and then, if there is a woman inside, they can poll all right ?—If the husbands and brothers allow them, I am sure they would come and vote.

8. It would be important to have a woman somewhere in the polling booth ?—It would be.

9. Do you think there are many women in this province to act as polling officers and presiding officers ?—I am sure you will find some. Though this province is backward in education, I am sure we will find some Christian, Hindu and Muslim ladies to help us.

10. Are there women teachers in this province ?—No. If we get the right to vote, everything can be arranged.

11. In some provinces we heard that women will not be satisfied if they are not placed on a status equal to that of men. They want adult franchise and the same right for men and women. Supposing adult franchise is not practicable now and supposing you have to find special qualifications for women because few women possess property qualifications, would the women of this province object to enfranchisement as the wives of husbands who have the right to vote ?—I do not think they will object, but it will be very limited and probably they would not exercise the vote properly. Even under literacy qualifications very few women would come on the roll.

12. The number of literate women over 21 is only 6,000 in this province ?—Nowadays many women and girls can read and write.

13. If literacy is made a qualification for the vote, will many women learn to read and write in order to secure the vote ?—Yes.

14. *The Hon'ble Mary Pickford*: Do you think it is possible that a fair number of Muslim ladies who are not returned as literate in the census records, yet can be made electors under the literacy qualifications ?—I am sure there will be many.

15. We are told that Muslim ladies who are literate do not always state, for census purposes, that they are literate. Under such circumstances would literate women number more than 6,000 ?—Yes, as this is a new affair in this province. But when the frontier women are given this right they will prove themselves fit.

16. If women had the vote, their education would proceed more quickly and they would be able to provide money for women's encouragement and education ?—Yes. I am sure of it and it will be great help towards literacy.

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17. *Mrs. Subbarayan*: Though educationally this province is a little backward, the women of this province are not less intelligent or less shrewd than other women and they will be able to exercise their votes intelligently ?—I am sure they will. It is not for me to boast that they are very intelligent. You know I belong to this province and so it would not look nice if I say that they are very intelligent. Only give them a chance and they will prove themselves fit in a short time.

18. An objection was raised that it will be very difficult for a candidate to approach women voters and canvass for their votes. Don't you think it will be possible, if there is any such difficulty, for the candidate to get the women members of his family to help him in canvassing and getting the support of women voters ?—In this province, women should vote for women only and only women candidates should seek their suffrage. Men and women should be separate.

19. That is for group ?—Only women candidates should canvass for women's votes.

20. You want separate electorates for women ?—Yes.

21. You do not want women to vote for men candidates ?—Not at present in this province because it will create a lot of suspicion and so on. So as to be on the safe side, for the present, we may have women to vote for women and men to vote for men.

22. You want a women's electorate to vote for women candidates to the legislative council ?—Yes.

23. How would you have them vote ? Would you like to have postal voting ? —There will be polling but only under special arrangements for purdah as they do for social functions and things of that kind.

24. Don't you think it will be better to have joint electorates for men and women ? Only if there is joint electorate and men have to secure the support of women it will be easy for women to get men's support for social legislation ?—The difficulty is that men will get the support of women, but women will not get the support of men. (Laughter). It will be easy to get women's support but not men's support.

25. You suggest that a certain number of seats should be reserved for women ?—Yes. I have suggested three. We want more.

26. What percentage of seats ?—At least two.

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27. *Khan Bahadur Abdul Rahim Khan* : You said that you would like women to give votes for women and not for men. Do you mean that the people do not like the idea or is it on principle that you say that women should vote for women and not for men ?—Because people would not like their wives and daughters to vote for other persons.

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28. *Sir Muhammad Akbar Khan :* Two sisters get a share of one brother according to Islamic law. Then will you give one vote to two women ?—That is because when the girl is married she gets a share of the husband's and also she gets one share from the father. That is only fair and it has nothing to do with the vote.

Memorandum submitted by Qazi MOHAMMAD SHAFIQ, M.A., LL.B., Vakil, Charsadda.

(*a*) By broadening the franchise which can be done in the following way :—

(1) The best method of enfranchisement is to grant adult suffrage. It is very simple in working, as age is the only hall-mark of qualification. It has no complication of fixing different standards for different qualifications. The scrutiny and the examination of the ability of the electorates with the consequent expenses are removed with one stroke of the pen. No ingenuity is needed to carve out elastic or flexible standard of qualification. Besides, the future franchise inquiries are obviated, and a very broad basis of citizenship is granted to the populace. It is suggested that for the present the minimum age-limit may be 25. This will decrease the percentage of the electorates and will make it administratively manageable. In the next revision the age-limit may be lowered to 21. The adult suffrage will have a very potent advantage of removing all the difficulties of fixing qualification for female voters. No standard however low either of property or of literacy or of income can be a safe guide for the females.

1. By lowering the property, literacy and residential qualification.

2. By amending the definition of ownership, so as to include mortgage of land or houses.

3. By including the wage-earning class in rural as well as in urban areas by lowering the amount of average monthly earnings.

Memorandum by Qazi MOHAMMAD SHAFIQ. [*Continued.*

4. By enfranchising the priestly class which possesses no property of its own, and lives in places of worship, has passed no proper examination, but is still fairly literate, whose income cannot be calculated but still is well off.

5. By reducing the amount of the annual rental in rural areas to 12 per annum or by including those tenants who occupy houses in payment of *khakshora* (*i.e.*, manure) and *tora*.

6. Land may be so defined as to include building or other superstructure, and possessory rights apart from the land.

7. By including the females though this will accentuate the disparity that now exists in the number of voters as compared to population. This point will be discussed later on.

(*b*) Yes. The Pathans are not new to the principle of representation, though they may be ignorant of the proper working of the political machinery of the modern type. A very little insight into body-politic will enable the Frontier-men to assimilate the spirit of popular Government more quickly than any other nation. The recent political agitation, for what it is worth, has at least this redeeming feature, that it has political consciousness especially in the lower strata of society to which the movement is mainly confined. The idea of self-Government is innate in the Pathans, and a little political tutelage will put the Pathan nation on equal par with a well-advanced community. The village constitution in the Frontier is such that every village community appears to be a nucleus of a small governing body. The village *jirga* is the village council where matters of local importance are discussed and decided. The statutory *jirga* system was carved out of this village representative body. *Loi jirga* of Afghanistan is another name for the Central Council. The Afghan *jirga* of the present times formed by the Afghan Youth League is the representative body of the whole Province and in many details reflects many of the elements of the Legislative Council which in itself is nothing but a Provincial *jirga*. The Council will serve as the nerve-centre of all the centripetal forces of the different districts.

(*c*) Yes.

(*d*) Does not arise.

(*e*) It is desirable to enlarge the Franchise after a decade, so that adult suffrage for both the sexes is attained after 20 years. If adult suffrage for those who are above 25 years is now adopted, then this age-limit may be lowered after 20 years to 21 years. If adult suffrage is not considered feasible at the present moment then the literacy, income, property and residential qualifications may be fixed at such a limit that as the society advances, the electoral roll will expand. The best method to enlarge the electoral roll will be to revise the qualifications for the electorates after a decade. If the attainment of adult suffrage is to be the goal to be arrived at after 20 years, or 30 years as suggested by the Round Table Conference Franchise Committee, then one or two revisions of the roll will be required.

(*f*) The answer to this question depends on many considerations:—

The idea of representation through group election is splendid, but it is not feasible and advantageous in the way suggested. If the group electors have the same number of votes as the numerical strength of the group is, then the formation into groups, and the distinction between direct voters and group electors is of no advantage except that in the case of group election there is little inconvenience to the Polling Officers, small expenses to the candidates, and greater control over the polls and elections. For these reasons it is suggested that group election may be extended to all kinds of voters. If one vote is given to the group elector in the same constituency, and no regard is however paid to the number of adults in the group this would be abhorent to the idea of citizenship, and will be introducing inferiority-complex.

Memorandum by Qazi MOHAMMAD SHAFIQ. [*Continued.*

To create separate constituency for group electors will lack cohesion among the group electors who naturally will hail from distant parts, as such constituencies will be very few for the whole Province.

The best method will be to grant immediate adult suffrage for persons above 25 years of age and introduce group elections for all to the convenience of all the parties. This will make the electorates administratively more manageable.

(*g*) If separate constituencies for group electors can be created for each district, or on ethnical basis that there may be greater cohesion and compactness among group electors, then only group electors should certainly stand as candidates for such constituencies. If separate constituencies for group electors cannot be given on the basis of local or ethnical conditions then group election itself is not feasible. This would depend on the number of such constituencies in each Province.

(*h*) As it has been hinted under (*f*) the system of group election is the most feasible and advantageous plan provided that adult suffrage is granted. This system has the advantage of being more convenient, least expensive, better grading of electorates, and easy management. This system of election deserves trial and experiment. This would confer greater solidarity to the electorates, and sense of representation. This is a system which is already known to Pathans. The counting of votes will become easier. If all groups consist of equal number of members, then the group electors may be considered to give vote. This is a system in which the representation of females can best be secured.

(*i*) Each group should consist of ten members, as in this case the owners of small hamlets, group cultivators, tenants-in-common and family cultivators will enjoy greater ease and comfort in group formation. It will have the convenience of counting of votes by adding to the number of group electors. If a group elector can manage to secure the formation of two or more groups, he may be allowed to do the same. In this system, if the females vote with the males, it will have the advantage of enfranchising the females, without bringing the females outside the four walls of their houses. The head of the family will come to the polls and give his vote. The family solidarity will be kept intact, and the centrifugal forces which will disintegrate the social structure in the case of outside pressure being brought by the contending parties will not be allowed to work.

The formation of groups may be left to the discretion of the group electors. These can be best arranged on social, socio-economic, family and religious bases. But when the groups are formed on the verification of the Lambardars, the Naib Tahsildar should certify them. Nothing should be superimposed from outside. Let the group formation work from within. This will secure self-adjustment and homogenity by itself.

(*j*) The group representative must have property, educational and income qualification. This will secure greater intelligence for the secondary electorates in casting votes, and the masses will be enfranchised by primary votes with no concomitant disadvantages or drawbacks of mass-enfranchisement. The present qualifications of the electorates may be held necessary for the secondaries except that the educational qualification may be lowered to the passing of the primary examination.

FRANCHISE QUALIFICATION.

(*a*) Yes. To remove the existing disparities, it is suggested that the qualification may be lowered that a greater percentage of the rural population may be enfranchised. This question and the next one are corelated and overlapping.

(*b*) Yes. The following measures are suggested. If adult suffrage is not desirable at the present moment then the franchise may be extended in the following way. In the Charsadda Tahsil *i.e.*, Hashtnagar and Doaba the Muslim male population is 94,509, and the female Muslim population is 79,161. The number of voters in Hashtnagar is 4,167 and in Doaba 1,895, *i.e.*, 6,062 according to the lists of voters

Memorandum by Qazi MOHAMMAD SHAFIQ. [*Continued.*

issued on the 10th February 1932. Of the total population including males and females the percentage of voters to the population is about two per cent. and with regard to male population it comes to about six per cent. This disparity not only exists in the urban and rural areas, it is very well-marked between the Muslim and non-Muslim voters. That is, as regards population the non-Muslims enjoy a larger number of voters than the Muslims do.

(1) The priestly class may be included on the basis of age. No other qualification can be so low or comprehensive as to include the Imam and his disciples who are otherwise quite literate and well-versed in religious literature.

(2) The monthly salary may be lowered to 15 per month. This will include the police constables who live in police-stations, or in free houses supplied by the zamindars, own no property in the areas where they work, and possess no literary qualification. This lowering in the salary will also bring into the fold of voters, the clerical establishment of courts and offices, post and telegraph officers, Patwaris, process-servers, post-men and the menial staff. Usually the members of this group are a heterogeneous mass hailing from different Provinces, and for years live in the places of their employment. No education-standard however low it may be can include them.

(3) The matriculation standard for literacy qualification is very high and rigid. This test excludes many electors who are otherwise quite competent to manage their own affairs. This test may be lowered and the passing of primary examination may be held to be the literacy standard. This qualification will have the virtue of elasticity and flexibility. As education expands the number of voters will increase. There is free education only upto the primary standard. Many students fall off on account of poverty and other reasons as they pass the primary examination. Nearly the whole clerical staff in the Province is educated upto the primary standard. Out of 1,196,120 male Muslims of the Province, only 42,110 are literate, hence the primary examination cannot be held to be a lower test. Moreover educationally the Muslims are more backward than the non-Muslims.

The payment of Rs. 4 monthly rental may be reasonable basis of qualification in urban areas, but it is too high an estimate for rural areas, where the rental takes the form of personal service, and payment of Khakshora and Tora. The monthly rental may be reduced to 12 per annum in rural areas. While the tenant who pays Khakshora and Tora must have lived in the house for at least 10 years.

(5) The wage-earners whose earning capacity is Rs. 15 per month in the urban areas, and Rs. 10 per month in the rural areas.

(6) The word 'owner' should include a usufructuary mortgagee who pays land revenue, or mortgagee may be added to tenant or lessee. Under the present electoral rules for qualifications mortgagee is not included.

(7) For tenancy-at-will no written agreement is ever written, and for leases, sometimes oral agreement is entered into. Hence for leases mutation may be made the basis of evidence, and for tenancy the entries in Khasra Girdawaris may be held sufficient.

(8) One who pays Hasiat-tax of Rs. 2 per annum.

(9) In rural areas where the villages are owned by big land-lords, huge tracts of land are taken on lease by one man, and around him many zaminders gather together to assist him in cultivation. Very often the names of those persons do not appear in Girdawaris. In the same way in grouph or family cultivation the elder man is shown in the Girdawaris as the

Memorandum by Qazi MOHAMMAD SHAFIQ. [*Concluded.*

actual cultivator while his assistants are not shown as such. In all such cases where two or more persons cultivate land, or assist in cultivation, and the land-revenue assessed on such land is such, that if divided on the number of cultivators each would be entitled separately to vote may be declared as voter.

The land-revenue may be reduced to Rs. 5 per annum.

(10) The residential qualifications may be reduced to Rs. 300, as for the rural areas the value of Rs. 600 is too high an estimate. Immoveable property may be given legal defination *i.e.* it may include any thing attached to the land. A person may not own the site, but may own superstructure or other incorporeal rights appurtenant to the site.

(*c*), (*d*) Yes, the answer has come under (*b*) above.

WOMEN'S SUFFRAGE.

(*a*) In the rural areas owing to rigidity in social customs, and religious scruples and Pathanic sense of prestige, no one will tolerate the inclusion of the females among the electorates. Nay, even if the females are enfranchised, they are so backward in education that very few will derive any advantage from the enfranchisement. However, in principle the females must get their suffrage, and the best method would be to enfranchise all females above the age of 30. This has advantages for several reasons.

(1) It is painful to confess that however low the literacy test may be put, most of the females will not pass through its meshes. Out of 79,461 Muslim females in the Charsadda Tehsil only 68 are literate. If some education standard is applied, even this number will fall. In the whole Province out of 1,031,183 Muslim females only 2,386 are literate. The figures are self-eloquent to show the huge disparity between female literates and illiterates.

(2) Very few females will respond to property qualification as according to custom, and lapse from Islamic law of inheritance and succession they do not receive any property except a life-estate. All the adult unmarried girls, and widows in charge of the minor sons, and the mothers of those males who die leaving widows, or minor sons will be excluded from votes.

(3) Income and residential qualifications the females have none. To lower down qualifications the work of revising and preparing electoral roll will be cumbrous, and too heavy, and in certain cases prohibitive.

(*b*) On social reasons it is advisible to have a group system of representation consisting only of females above the age of 30 giving votes through their female representative. If group system is extended to all voters, then females and males may be included in one group.

REPRESENTATION OF THE DEPRESSED CLASSES AND LABOUR.

There are no depressed classes in the Frontier, hence the question does not arise. The same applies to labour which does not present any marked feature in the rural or urban areas. There is no agricultural labour problem in the rural areas.

Qazi MOHAMMAD SHAFIQ, M.A., LL.B., Vakil, Charsadda.

1. *The Chairman :* You would like to see adult franchise if it is practicable ?—Yes.

2. You would like to give it to persons above 25 years ?—Yes, transitionally.

3. And you are in favour of the group system ?—Yes.

4. You suggest a group system to be worked by the groups forming themselves ? —Yes.

5. How do you suggest they should form themselves ?—That can be done like this. If 10 persons including males and females combine together, then a person among them who is more intelligent should come forward to give the vote on their behalf and in the case of family, the head of the family such as the father or brother or son can come forward and give the vote on behalf of the whole family and in that case the relations, whether those relations are males or females, can combine together and appoint one man to give vote on their behalf.

6. You say " this disparity not only exists in the urban and rural areas, it is very well-marked between the Muslim and non-Muslim voters ". Can you give me any information about that. Is the ratio between the number of voters, Muslim, Hindu and Sikh, very different from that of the population ?—The Sikhs and the Hindus are more advanced in education and under the literacy test they have got more votes. Moreover they are all engaged in trade or profession. There is now the Matriculation test for all the voters. Under the property as well as the education test the Hindus and Sikhs are more advanced.

7. Have you any figures on the ratio of the Muslim, Hindu and Sikh voters as compared with their population ?—No.

8. You give a list of the qualifications. Have you worked out how many per cent. of the people will be enfranchised under them ?—It will be between 10 and 25 per cent. If the land revenue which is payable is decreased to Rs. 5, I do not know what the percentage will be in that case. Those figures have been called from the different tahsils and they are being collected. The official figures are not available to us. If the educational qualification is reduced to the primary standard, it would bring in about 30,000 Muslim voters.

9. You say " owing to rigidity in social customs and religious scruples and Pathanic sense of prestige, no one will tolerate the inclusion of the females among the electorates "?—Yes, if the females mix with the males.

10. Is not that putting it rather high ?—In the rural areas there is the purdah system and moreover the females are not allowed to go out and mix with males. It will therefore be very difficult for them to come out and vote. It is not tolerated among the Pathans that females should come out and mix with the male voters.

11. On the other hand, you are in favour of adult female suffrage ?—Yes, but that is only if group system is allowed and that would be in the transitional period.

12. Women would vote in the groups but not in the polling ?—Yes. Because in that case no separate arrangements are possible.

13. If there is a female candidate and a separate constituency is created, then they will come forward even for polling ?—Yes. If there is a separate constituency and the polling officer is a female, then they will come forward. They should not be allowed to mix with males.

14. You say there are only 2,386 literate Muslim women in the province. Have you taken that figure from the census of 1931 ?—Yes, from the latest census.

15. *Mr. Miller :* I take it that you really prefer direct vote to the indirect through the group system ?—Yes.

16. And you favour group system if it is universal ?—Yes. I favour both group system as well as the direct vote and there should not be any distinction between the qualifications for the two. That is, persons who vote under the group system should not have qualifications inferior to those of others.

17. If the group system is introduced, you would be in favour of those who hold direct votes ?—Yes.

18. *Mr. Tambe :* I have not been able to understand what you mean by " lowering residential qualifications."—I will explain. A person who is living in a certain house may not own the site, but he may own the building or in other words, in the legal sense, he may have occupancy rights. If these occupany rights are equal to Rs. 300, then he may be allowed to give a vote.

19. You mean the same thing when you say that women have no residential qualification ?—Exactly. They are not given any property qualification.

20. They are given residential houses ?—Yes, but they live in the houses of their husbands. Only widows can get property and that too as a life estate.

21. You refer to Loi Jirgas. Are they elected bodies ?—Yes. The Afghan Youth League to which I have made reference is an elected body.

22. You say matters of local importance are discussed and decided ?—Yes.

23. You refer to Islamic law with regard to residence and succession. I take it that you are in favour of applying Islamic law instead of the customary law ?—Yes.

24. Under the Islamic law, I think women are entitled as much as men to residence ?—Yes.

25. But you give vote to men and not to women ?—Yes.

26. Is that in accordance with Islamic law ?—I give vote to both. But we have to see the special social circumstances of the country and whether the vote could be exercised and if it is exercised we should see that the family solidarity is maintained and the prestige which is always felt by the Pathan is not lost. So we have to see to the social customs.

27. So you will have the customary law in their case ?—Unless we get rid of the customary law we cannot give vote to them, especially for the present, as long as the social rigidity remains.

28. If you enfranchise men in the direct way to the extent of 20 per cent. will you be prepared to enfranchise women to the extent of 10 per cent. according to Islamic law ?—Why not ?

29. *Major Milner :* I notice you fix a qualification for wage earners. How would you suggest that it might be applied practically ?—It would be very difficult to apply it practically. But we can assess it just as in the case of the *haisyat* tax which is usually assessed by the district board members. But it would only be a question of conjecture.

30. Admittedly your proposals and also those of the provincial Government and the Committee do not in any way enfranchise any of the working classes, do they ? How would you suggest that they might come in ?—You can take in those with an earning capacity of Rs. 10 in rural areas and Rs. 15 in urban areas.

31. How is that going to be measured ?—By the Lambardars, or district board members.

32. You will get someone to make a record of those individuals earning those sums ?—Exactly.

33. Would not there be any difficulty ?—Even now in the case of the *haisyat* tax it is usually assessed by the district board members. They can go round the villages and find out the earning capacity of the small shopkeeper and so on.

34. The present practice may be extended to the wage-earners ?—Yes.

35. Do you mean the earning capacity or the actual amount earned ? My earning capacity may be Rs. 1,000 but I may be getting only Rs. 100 ?—Earning capacity means the actual amount he gets. It may be average income per month.

36. You think there will be no practical difficulty in the principle of the *haisyat* tax being extended to other wage-earners who ordinarily do not come within the confines of that tax ?—No, I do not think there will be any difficulty.

37. Have you any idea as to the number which it might involve ?—No.

38. *Mrs. Subbarayan :* You suggest, with regard to enfranchisement of women, that all women above the age of 30 should be given the franchise ?—Yes, for the time being.

39. Could you give me any idea as to how many women will come in under this qualification ?—I have not worked out the figures. All that I know is that there are about 12 lakhs of Muslim women. I do not know how many of them are above the age of 30.

40. *Sir Ernest Bennett :* You say that the priestly class should be enfranchised ? —Yes, and I do not confine it to Musalmans. It may be applied to all religions. Pandits, Vaids, etc., may also come in.

41. You say later on " the Imam and his disciples are quite literate ". Would not they come under the literacy test ?—They do not. Because the literacy test at present existing is the Matriculation examination.

42. You say that the priestly class has no property ?—They are maintained by the offerings they get. They do not have their own property.

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43. *Mr. Chintamani :* You advocate enfranchisement of 25 per cent. of the population ?—Yes.

44. From your remarks on the group system, I have not clearly understood whether you advocate it or whether you only mention it as a second best. You would have enfranchisement of 25 per cent. of the population by the method of direct election or group system ?—That would be by direct method.

45. You think it practicable ?—I think it practicable.

46. Suppose you were told that not more than 10 per cent. of the population could be enfranchised by means of direct system and that if you wanted franchise for a larger proportion of the population you must accept the group system. Which would you prefer—direct vote for 10 per cent. or indirect system in order to bring in a larger percentage ?—Group system in the way in which I have suggested. I would prefer that.

47. It is only if the method you have suggested is accepted ; not otherwise ? —Yes.

48. In respect of women's suffrage why have you limited the age at 30 ?— It is only for the transitional period. It may be lowered to 25 later on and subsequently to 21.

49. Only to restrict the numbers ?—Yes.

50. *Rai Sahib Mehr Chand Khanna :* With regard to the group system we were given to understand that if we have a group system there will be two difficulties. One is that you will be having a sort of election beforehand. Supposing you have a group of about 100 people. They have got to vote for individual candidates beforehand. That is one difficulty. The second is that there will be more chances of corruption. My idea is this. Supposing there is only one individual voter who has got 100 votes at his command. It means that he might ask for a very big price. After all there are instances where numbers of people go for voting and they ask some money. Now under the system now proposed our idea is that there will be great chances of corruption. What is your idea about it ? Do you think there will be more corruption ?—I think even now, under the system in which it is worked now, we have got groups, they are based on party system and some are formed by the Jirgas. So if these parties are changed into group system, that would make the election more inexpensive and convenient and more

over I have suggested that in this case the solidarity of the family would not be broken. Because I have also suggested that the women should be enfranchised. In that case the families can give their votes through the brother or some other head of the family and the solidarity of the family will not be broken.

51. Do your remarks equally apply to the urban population ? In the villages you have got Lambardars, and other headmen. In the urban areas you do not have these things at all. So do your remarks with regard to group system apply to the urban areas ?—Yes, in one house we have so many members and the head of the house can form the group if we enfranchise them and there will be 2 or 3 or 4 houses which can be kept together by relationship and thus groups can be formed.

52. Supposing in one Mohalla I have my relations, in another another set of relations and I have got a third set in another village. You want to keep these houses together to get 10 voters and form them into a sort of group ?—If the groups can be formed conveniently, then election should be through groups, otherwise by direct votes.

53. You say in order to have the solidarity of the family and all that you want to have a sort of group system. Now the house might consist of only two members, the husband and the wife and the other relations may be in a different Mohalla. So you have to join 2 or 3 Mohallas. Or do you wish to have the relations in one village ?—If this is possible, it is alright. If there are two members they can exercise direct votes. It is not necessary to form groups.

54. You want to have two different systems ?—I want both systems working together, the group system as well as the direct system.

55. One more point: you made the Chairman understand that as the Sikhs and Hindus are comparatively more advanced, educationally and economically, they will have a bigger enfranchisement. You don't want separate enfranchisement for Muhammadans and separate for Hindus ?—No.

56. *Sir Hissamuddin Khan :* In the group system, for instance if a person comes and says " 20 people have given me their votes " what will be the proof that his statement is correct ?—I have given that in my memorandum. It will be certified by a lambardar or a Muhalladar.

57. The lambardar will go and ask a woman ?—He can ask the brother of the woman.

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58. *Mr. Tambe :* What do you think of a Second Chamber for this province ?—I have not considered this question.

59. You have said nothing about special interests ?—There are no special interests here, either of labour or depressed classes.

60. The landlords have two seats; do you wish to continue that ?—I think they should not be continued.

61. *Diwan Bahadur Ramaswami Mudaliyar :* The Khan element is very strong in this province ?—I don't know why this constituency should have been created because the original idea was that the Khans should have a different constituency. The word " Khan " has not been defined properly: it has been mixed up with " landlord ". A landlord may be a Hindu, a mian or anybody: if he pays Rs. 250 he comes within the constituency. But a Khan would include such persons in his category. The original idea has not been fulfilled.

62. Are the candidates standing in the present election all 4 Khans ?—Yes, but where is the guarantee that next time non-Khans may not stand, and moreover that would be creating a class altogether invidious because those persons who pay income-tax should be included in the landlords.

63. Before the Simon Commission the Khans put forward their fear of democracy. Do you think you would make them better friends if you say they should

not have representation at all ?—I don't know how the Khans will feel this. But in the present elections many big Khans have stood from the ordinary constituency. At Rs. 250 there may be many persons who would come in.

64. You want special representation for Khans ?—Yes, if Khan can be properly defined; now the constituency which has been created is hybrid.

65. That is the extent of your objection to a landlord's constituency ?—Yes.

Memorandum submitted by the SIKH SUDHAR COMMITTEE, Peshawar, and SANATANI SIKHS.

PROVINCIAL LEGISLATURES.

EXTENSION OF THE FRANCHISE.

1. (*a*) The qualifications of voters for the Provincial Legislature should be reduced to that of voters for Municipal Elections. The electoral rolls should be prepared very carefully so that every qualified voter may be included in the list and this should be done in co-operation with the leading members of every society, Mohalla, Illaqa and village. At present the lists of voters are awfully defective and incomplete. Under present system of recording electors there can be a possibility that a village or a Mohalla or an Illaqa may be left out of the list, altogether.

(*b*) Yes, as the people get experience and realise the significance of responsible Government and understand the importance of their votes they will be able to cast an intelligent vote.

(*c*) Certainly, it will be quite manageable in co-operation with the leading members of the public, who will afford every help in the preparation of the lists of voters and as for the recording of votes, the number of centres shall have to be increased so that the work may be done smoothly.

(*e*) The Council is going to be instituted for the first time in this Province, therefore it will not be possible to further lower the qualifications as given in part (*a*) until the people begin to realise the significance of their votes and understand to cast them rightly. If the Electoral Rolls are properly prepared, there will be hardly any right person left out of the Electoral Roll.

(*f*) The group system will be impracticable and will give rise to great complications and tension. One man is independent to cast his votes in a way he considers advisable but it will be very hard for 20 or more men of a group to select a man from among themselves who may be authorised to cast a vote on their behalf. It may be possible for associations or unions to do that but it will not be possible to group together a certain number of persons for the sake of casting votes. This will be the double voting system. First the members of a group will have to select a man from among themselves and then a particular man will cast his vote for a certain candidate.

(*g*) This association does not agree with the group system.

(*h*) No.

(*i*) *and* (*j*) The question does not arise.

FRANCHISE QUALIFICATIONS.

2. (*a*) The electoral rolls should be prepared more carefully in co-operation with the representatives of the societies and Mohallas and then there will be no disparity.

(*b*) This proposal will make the Franchise qualifications quite useless and meaningless. If the voting strength is to be arranged according to the population

of a community irrespective of the qualifications fixed for others then the whole system would be fruitless. This can legally be possible only if the system of adult suffrage be introduced so that every person of 21 has a right to vote, or by reserving seats for a certain community on the basis of population so that even qualified voters may be able to return the fixed number of candidates of a certain community.

(*c*) Yes, the possession of property indicates the responsibility of a voter and it should be retained.

(*d*) Yes, it will be advantageous to introduce educational qualifications irrespective of property and as this Province is still backward in education, both Anglo-Vernacular and Vernacular Middle passed people of 21 should be given a right to vote. They will certainly be in a better position to understand the importance of votes than illiterate property holders.

(*e*) Yes, it will be proper and beneficial to retain the existing Military qualifications and extending it to Auxiliary and Territorial Forces.

WOMEN'S SUFFRAGE.

3. (*a*) Yes, this is the only practicable way to increase the numbers of women's suffrage. The increase may be made about 10 per cent., at least as in the case of men, but it will be impracticable for the Muhammadans as long as the *Purdah* system is retained.

(*b*) No, the group system will be impracticable and will give rise to complications.

REPRESENTATION OF DEPRESSED CLASSES.

4. There is no important section of the depressed classes in this Province. There are a few who consider themselves as part and parcel of the Hindus. There can be no possibility for such a small number to return their representative for the Council.

REPRESENTATION OF LABOUR.

5. Labour is not organised in this Province. The artisans and labourers may come in the list of qualified voters but ordinary unskilled labourers cannot come in the list unless the qualifications for them are lowered as a special case. A labourer whose monthly income comes to Rs. 25, may be given the right to vote.

II.—THE FEDERAL LEGISLATURE.

ALLOCATION OF SEATS TO BRITISH INDIAN PROVINCES.

6. (*a*) Yes, this arrangement of electing the members for the upper chamber will be useful but the number of seats proposed for this Province is not sufficient; it should be raised to three and one of these three should be a Hindu including the Sikhs.

(*b*) There is no harm if the qualifications for both are the same.

(*c*) It will be more advantageous if the election to the Lower Chamber is made by direct system. But, the number of seats should be raised to six and two of these should be reserved for the Hindus and Sikhs who form an important minority in the Province. As for the Hindu and Sikh seats there should be two constituencies, one for Peshawar District and one for the remaining Districts. And Muhammadan constituencies should be one for Peshawar returning two members, one for Bannu and Dora Ismail Khan District and one for Kohat and Hazara Districts.

Memorandum by SIKH SUDHAR COMMITTEE AND SANATANI SIKHS. [*Concluded.*

REPRESENTATION OF WOMEN, LABOUR AND DEPRESSED CLASSES.

7. No further suggestion is to be made.

GENERAL.

8. The Electoral Rolls at present are not prepared carefully and properly and this cannot be done unless and until the co-operation of the leading representatives of every society, Mohalla, Illaqa and village is secured. At present the Electoral Rolls are most defective and incomplete.

Baba NARINJAN SINGH BEDI, B.A., Jagirdar and Municipal Commissioner, Representating the Sikh Sudhar Committee and Sanatani Sikhs.

1. *Sir Sunder Singh Majithia:* Will you kindly tell me what you mean by "The Sikh Sudhar Committee"?—It is a Society of Moderate Sikhs.

2. What is the total membership?—In Peshawar I think it would be about 2,000.

3. What do you mean by "Sudhar Committee"? Do you want to *sudharo* the Sikhs?—It was started about 1924 on account of the anti-Government and mischievous Akali agitation in the Punjab about the usurpation of Gurdwaras by force and the loyal and pro-Government Sikhs established a society under the name of Sikh Sudhar Committee in the Punjab and a branch was instituted in this province.

4. The objects of this committee is to look after the good management of the Gurdwaras?—No: the object was and is that there should crop up no misunderstanding or false propaganda against the Government or no misunderstanding between the Sikhs and the Government.

5. What is the number of the Sanatani Sikhs as compared to the Akalis?—I cannot give you the exact number.

6. Are the Sanatani Sikhs more in number or are the Akalis more?—They are both mixed.

7. Do you think the present preparation of the electoral roll is not properly made by the Government officials?—Many Mohallas and Illaqas are left out.

8. You are not in favour of having differential constituencies?—I am deadly against it. I am not in favour of creating any distinction between one community and another.

9. You want three seats in the federal legislature?—Yes, if there are three seats one should go to the Hindus and Sikhs together. It is for them to divide it.

10. Can they divide it amongst themselves?—They can make some arrangement; one time this community and another time the other.

11. Does it mean joint electorates for Sikhs and Hindus?—Yes; they are both in the minority and it will be useful for them to join hands.

12. May I ask if you are an Akali Sikh?—No; I belong to the family of Gurus.

13. *Sir John Kerr:* In your first sentence you say "the qualifications of voters for the provincial legislature should be reduced to that of voters for Municipal elections." Is not that the case already?—Yes, in this province.

14. *Mr. Tambe:* You say "the Council is going to be instituted for the first time in this province, therefore it will not be possible to further lower the qualifications as given in part (*a*) until the people begin to realise the significance of their

votes and understand to cast them rightly ". How long would you wait for the next instalment, 15 years ?—Not so long; as the people start getting experience they will be able to share the same rights as other provinces.

15. If the other provinces wait for 8 years, this province should wait for 10 years ?—No; it should go along with the other provinces.

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16. You have said nothing of special interests or the second Chamber in this province. Would you like a second Chamber in this province ?—I don't think so.

17. Don't you think special seats should be reserved for landholders ?—There is no harm; I don't object.

18. Are you very keen on that ?—I am not interested either way.

19. *Major Milner:* Would there be any resentment if the two seats for land lords were taken away ? You don't seem to be particularly pressing about retaining them ?—There will be objection.

20. You don't attach very great importance to the retention of those two seats ? —I think those should be retained at present.

21. You say that a labourer whose income is Rs. 25 should have the right to vote. How do you propose that the authorities should ascertain the labourers that come within that category ?—That can be ascertained from the Mamlatdars and Mohalladars: that is the only feasible course to adopt.

22. If that is not done there will be a large proportion of the population who will not be represented at all ?—Yes.

23. And you would advocate steps of that sort being taken ?—Yes.

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24. *Lord Dufferin:* There are 5 candidates for the landlords seats in the coming elections: are there any Sikhs amongst them ?—No.

25. You are not a voter in the landlord constituency ?—No.

26. *Mr. Chintamani:* When you suggest an educational qualification for voters why do you fix the middle standard; why not the upper primary ?—I think there is no harm if upper primary is fixed: this province is very backward.

27. That should be an additional reason why you should not fix it high ?—Even the middle schools are very few and I think only those people can take advantage of the middle schools who are near by; ordinary villages cannot enjoy the benefit. If the primary standard is fixed many people can come in because primary schools are all over the province.

28. If it be practicable to lower that limit without unduly increasing the numbers, would you have any objection ?—No.

29. Under the head "Representation of Labour" you suggest a monthly income of Rs. 25 to give the labourer a right of vote ?—The ordinary wages are from 12 to 13 annas a day; one rupee in some cases.

30. You would not fix a lower limit ?—It may be lower, say Rs. 20.

31. *Sardar Raja Singh:* Regarding Federal Legislature, in reply to Sir Sunder Singh you just said that you wanted a seat to be shared between the Hindus and Sikhs and they should decide between themselves by turns. I understand that you want the representation of Hindus and Sikhs to be quite separate though by turns ?—I simply thought that it may not be possible to have two seats and in that case we might have one, it being left to the Sikhs and Hindus to decide as to who should get it. I thought it would be in the interests of both.

32. You agree with me that you want separate representation for Hindus and Sikhs though it may be by turns ?—Yes, if they can decide in that way.

33. You consider the two as quite distinct one from the other ?—As far as this question of seats is concerned, but otherwise they are one.

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34. *Rai Sahib Meher Chand Khanna :* I understand you want some adequate representation for the Hindus and the Sikhs in the Legislature ?—Certainly.

35. You suggest that the Hindus and Sikhs should be sent in by turns. Would you throw some more light on the subject ?—What I said was that both are in a minority here. It would be better therefore if they exercise some voice in the Central Legislature and as only a small number of 2 were reserved for this province, I added one more with the consideration that our Muhammadan brothers will concede one seat to both these minorities. I propose that that question as to who should get the seat should be left to the Hindus and Sikhs to decide between themselves. That question can be decided in two ways. Either it can be decided on the basis of population in this province of the Hindus and Sikhs or it could be decided more amicably by turns. What I mean is that minorities should be able to safeguard their interests properly. If these two minorities join together they would be better able to safeguard their interests.

36. You want some sort of special constituency for the minorities ?—Yes.

37. Would you like to have joint electorates for the Hindus and Sikhs for this special constituency ?—I have put in the memorandum that it should be joint.

38. One other question. You have said that you have no objection to a special constituency for the landholders. Would you like that we should have some sort of University constituency here, I mean for the graduates ?—I would welcome that.

39. A suggestion has been made by some of the members that we should have a sort of University constituency for graduates of 7 years' standing whether they have had their education in Peshawar or outside. It has been suggested that the number should be limited by some sort of residential qualification. The proposal is that it should be obligatory that a graduate should have been here for at least 12 months before he can vote. He might be a graduate of any University. You would not like to limit it to 3 colleges in Peshawar ?—No.

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Memorandum submitted by Mr. MOHAMMAD SARWAR KHAN TARKHAELI, B.A., LL.B., (Alig.), Editor-in-Chief of the *Naujawan Afghan*, Haripur, Hazara.

I.—PROVINCIAL LEGISLATURES.

1. EXTENSION OF THE FRANCHISE.

(*a*) The existing franchise could be extended (*i*) by lowering the existing qualification of the voters and (ii) by extending the right of voting to other persons also.

Property qualifications should be as below :—

(1) Persons paying Rs. 3 as land revenue per annum.

(2) Persons owning property worth Rs. 300 or more.

(3) Persons paying monthly rental of Rs. 3 for house property.

(4) Persons paying lease money to the extent of Rs. 6 per year for agricultural land : the leaseholder to be entitled to hold the land at least for two years.

(5) Persons enjoying a permanent monthly income of Rs. 7.

Service qualification—

(6) Persons who have served in the Military, the Militia, the Constabulary, or the Police and have either retired on pension—obtained a gratuity and discharged, or discharged with good conduct after the service of at least three years.

(7) All retired Government pensioners.

(8) All retired District Board or Municipal employees.

(9) All such literate employees mentioned in No. 8 who have been discharged with good conduct after the service of at least three years.

(10) All retired Patwaris.

(11) All Jagirdars, Lambardars, Zaildars, Inamkhors, Safed Posh.

Literacy qualifications—

(12) All literate persons who hold a certificate of primary examination or similar literary qualification.

(13) All literate Imams, Mahants or similar religious heads who have held that office for at least three years.

(*b*) Yes,—this answer presupposes that education in schools will be properly conducted and looked after, and the means to earn wages will be increased.

(*c*) Yes.

(*d*) Does not arise.

(*e*) My answer to (*a*) roughly includes all the possible suggestions on the point.

(*f*) Answer to (*a*) possibly includes all such persons who at present can cast votes. In case there are persons who are thus left without any right of voting, then the group system would be useful. The whole idea is that none capable of casting an intelligent vote should be left without enjoying this fundamental right of citizenship. By the time adult suffrage is adopted, such persons as are not included in (*a*) should form into groups of 20 each : and these groups should elect their representative voters. Ordinarily this will be a difficult task, as there would be none who would be legally bound to form these people into groups and so there would be left a portion of population without exercising any influence on elections. This difficulty could be solved if the Government machinery makes it imperative upon each village or group of villages as the case may be to form into different groups and elect their representative voters—to be included in the general list of voters. In case no such representative voters are elected within the time prescribed, then the Government should be vested with the power of selecting such representative voters.

As explained above, these representative voters would be included in the general list—and should be entitled to vote, as voters in the general list would be entitled to vote.

(*g*) I am not in favour of such group constituencies.

(*h*) No.

2. FRANCHISE QUALIFICATIONS.

(*a*) At present property qualifications in urban areas are a bit higher than in the rural areas. Ordinarily franchise qualifications should be the same both in the rural and urban areas.

(*b*) I agree with the suggestion. But under all circumstances majority community should in no way be reduced into minority. At present there is no such danger in this Province, as the Muslims are in overwhelming majority—but there are provinces (the Punjab and Bengal) where there is likelihood of such a danger.

Memorandum by Mr. MOHAMMAD SARWAR KHAN TARKHAELL. [*Concluded.*

I would offer one suggestion which is that whatever system is adopted, in no case should the official and the non-Muslim bloc including nominated members exceed the number of the Muslim elected majority.

(*c*) " Property " should be one of the qualifications—but not the sole qualification. Other qualifications have been given in answer No. 1 (*a*).

(*d*) Yes,—primary school examination should be the minimum qualification.

(*e*) Yes,—not only to those men mentioned in this question but to all enumerated in answer No. 1 (*a*).

3. WOMEN'S SUFFRAGE.

Women must be enfranchised: but at present the Province cannot afford to come into the arena. In the next five years, very great attention should be paid to female education: and when there has been decent education among the Muslim females, then the question of their enfranchisement can be considered. Other communities are quite fit for enfranchisement—but it would create a great disparity if non-Muslim females are given the right to vote while the Muslims cannot exercise it. At present the non-Muslims should also wait for the Muslim women who chiefly live in villages where female education has not properly penetrated as yet. If some women are taken as nominated members, there is no objection to that; but the principle that the Muslim elected majority must remain intact, must be kept in view.

(4) There are no depressed classes here—and so they may be omitted from discussion.

5. REPRESENTATION OF LABOUR.

There is no organised labour as it is understood in big towns. But here you would find a very large number of people living upon their labour. This labour may be skilled labour like carpenters, smiths, etc.,—or unskilled labour—like ordinary wage earner. Between the two there is another class, the agricultural labourer. A very large population consists of this class. Besides the three classes, educated people who are not employed anywhere, or if they are employed they draw very meagre allowances, may also be looked upon as labour. In answer to question No. 1 (*a*) I have tried to show the various qualifications which a voter ought to possess—and labour of all class mentioned above is covered by that answer.

As noted above every voter to whatever class he may belong should be brought on the general list—and no group system should be adopted excepting where groups of 20 persons have to be made in order to choose a representative voter for that group.

This is necessary, as the ideal is that every sane adult man should have a vote By the method I have adopted, almost all can be expected to be able to exercise their vote one way or other.

II.—THE FEDERAL LEGISLATURE.

(1) I am not satisfied with the number allotted to this Province. In my opinion it would be advisable if each district is given a right to send his representative to the Central Legislature (Lower Chamber) by direct election: and similarly at least two representatives be allowed for the Upper Chamber for the whole Province *through direct election.*

(*b*) Franchise qualifications should be the same.

(*c*) Indirect system is not appreciated, nor, by this system, can a true representative of the majority of the people be returned.

(7) and (8) No suggestions except made above.

Mr. MOHAMMAD SARWAR KHAN TARKHAELI, B.A., LL.B., Editor-in-Chief, *Naujawan Afghan.*

1. *The Chairman :* You are Editor-in-Chief of the *Naujawan Afghan* ?—Yes.

2. You have given various qualifications for voters. Have you formed any estimate as to what percentage would be brought on the roll by these qualifications ?—I would not say that I have formed an estimate of those who would be competent to vote. In this respect, my idea is that adult suffrage is the goal and if these persons are given the right to vote, they may form about 25 per cent. of the population. That was my estimate.

3. Have you been able to discuss with the officials the practical limits for polling at the present time ?—No, that is my own estimate.

4. And you will add to this the group system for those people who would not get the direct vote ?—Yes.

5. How would you frame the groups ?—I have explained one difficulty in my memorandum. At present the people are not educated enough to form groups by themselves. Those who are not able to come on the voting list under the qualifications here prescribed should be formed into a guild of 20 persons each under the direction of the Government. There should be some government agency who should make these people form guilds.

6. Government should form groups ?—Yes.

7. What qualification would you employ in that ?—If an officer in the Revenue Department is appointed that would be much better. If that cannot be done, an executive officer, the Tahsildar or the Revenue Assistant may do it.

8. What have you to say on the question of enfranchisement of women ? If all the rest of India has it, would there be any strong objection to women being enfranchised here in the North-West Frontier Province ?—I have disoussed this question with some of the leading persons of several districts. Their idea is that women must be enfranchised. The difficulty at present is that women have not been able to receive education as they ought to have by this time. There are certain schools open for women, but unfortunately those schools are opened in big towns only. Rural education of women has been neglected altogether. If the Government is able to pay attention to women's education for 3 or 5 years, I think, there will be room for the enfranchisement of women. It will be appreciated then.

9. Your objection is that women are backward in education. You are not against it in principle ?—I am not against it in principle. I am in favour of it.

10. You quite see that if all the other provinces introduce women suffrage, it would be very difficult for North-West Frontier Province to stand out alone ?—My idea is that they must be given the right of vote, and why should the frontier woman lag behind ?

11. Under (13) you have said that you want to enfranchise all literate Imams, Mahants or similar religious heads. Would you tell us how many would you enfranchise in this way ?—The main heading is literacy qualification. Under (12) I have said that all literate persons who have passed the primary examination should be given a chance to vote.

12. Do you think there would be a considerable number of people who would come on the rolls under No. (13) ?—They may not be considerable in number. I think, they should be given this right if they are literate and if they have held the office for 3 years.

* * * * * *

13. As regards women suffrage, you think that unless the Muhammadan women have got the right to vote, the non-Muslim women should not have the right. They should sit still ?—I would modify this opinion to this extent—that these

women may be given the right of voting provided that right is exercised within their own community and within the limit of persons who are to be elected by that community.

14. That is separate electorates ?—Yes.

15. You say each district should be given the right to send a representative to the Lower House of the Imperial Legislature and there should be 2 in the Upper House. Do you think that the same proportion should apply to other provinces ? —I cannot say definitely, but at least if the ambitions of the people are to be taken into consideration they should have 5 seats according to the number of districts in the Central Legislature.

16. This is the ambition ?—There must be some ambition.

17. Do you think that the House would be such a large body ?—I don't think it would be.

18. *Sir Ernest Bennett :* You say all district board and municipal employees should be enfranchised. You mean even the humblest of the employees ?—Anybody who has remained in service for 3 years and has come out with good conduct.

19. What is a Safed Posh ?—He is somewhere between the Lambardar and the Zaildar.

20. *Sir John Kerr :* Your limit of land revenue is only Rs. 3. That is very low ?—Of course, it is very low. The difficulty is that I come from a district where the people have got possession of the area which is very vast though the land revenue is very low.

21. Rs. 3 would mean how much ?—Where the land is 'Barani' it would mean some 200 Manals.

22. Then you propose to enfranchise all persons enjoying a permanent monthly income of Rs. 7 ?—That is of course low.

23. You mean practically every labourer ?—Who could earn 4 annas a day. We have to consider the question of unemployment also.

24. Every labourer would come ?—Yes.

25. Do you propose to set up some authority to decide whether a man is earning Rs. 7 or not ?—It will be rather difficult because there is no labour organization. At any rate, those persons who work anywhere as coolies would get 4 annas a day —not less than that. There are persons who work on stations and in *mandies*. It will be difficult to organize them at present.

26. *Diwan Bahadur Ramaswami Mudaliyar :* You are in favour of the group system ?—Yes.

27. You say in connection with the Federal Legislature that the indirect system is not appreciated, nor by this system a true representative of the majority of the people can be returned. It is not a very satisfactory way of representation ?—This is the lesser evil. As far as the bigger question of indirect representation is concerned, I don't like it. It is full of so many difficulties. There will be a lot of corruption.

28. You merely suggest that it is better than nothing at all ?—If it is limited to those people who cannot come on the list otherwise, I would not mind.

29. *Mr. Tambe :* You are strongly in favour of democracy ?—Yes.

30. You would like to enfranchise every man if he is capable of exercising his vote ?—Who is capable of casting an intelligent vote.

31. You would not keep the vote from a person who is capable of casting it intelligently ?—No.

32. You say under Women Suffrage "other communities are quite fit for enfranchisement—but it would create a great disparity if non-Muslim females are

given the right to vote while the Muslims cannot exercise it ". What is the percentage of Hindus ?—5 and 7 Hindus and Sikhs combined together.

33. *Major Milner :* Don't you think that it is a disadvantage to have so many different qualifications rather than two or three simple ones. You put forward 13 different qualifications ?—It looks cumbersome, but when you have got adult suffrage as the goal you have to begin with difficulties.

34. You could give everybody a vote under the group system without going into all these cumbersome, complicated and varying qualifications ?—The group system would not be democracy. It would be autocracy. If you want democracy that is not the system. It would return only aristocratic people.

35. The group system is not a democratic system ?—The group system in this province, if adopted, will return only those people who can exercise their influence through the possession of their lands.

36. You think it would return only landholders ?—It would not be democracy, it would be aristocracy.

* * * * * * * *

37. Would it be possible and easy to enfranchise all those earning a wage above a certain figure ?—My idea is that labour is so limited and work is so limited that the officials will be in a position to know who gets As. 4 or As. 6 as wages.

38. There is some industrial labour ?—There is.

39. I suppose it is possible to ascertain from the labourers the amount of wages that they get ?—In cities it can be ascertained, but in villages where the labour is not a permanent factor it will be difficult to ascertain who gets more than Rs. 7 a month. They would not be in one place for more than 10 or 15 days.

40. You send an official round to the employers to ascertain who gets the minimum wage ?—In big towns you have all facilities for that, but in rural areas there are no facilities. In villages you will not be able to ascertain the number of labourers. Anyway my submission is that labourers are so few here who get Rs. 7 a month that it will not be difficult to get their correct number.

41. You think it will be particularly easy to get their number in this province ? —Yes. It is very easy here because there is no organised labour.

42. What industries have you in this province ?—There are no industries here.

43. Do you mean to say that there are no men here making things like carpets and so on ?—There are men like that doing some work or other, but there are no industries worth the name.

44. Supposing a man getting more than Rs. 7 applies for a vote to an appropriate official with a form in a prescribed manner and that the official checks it and decides the case. That would simplify matters ?—It is possible. I do not see any objection to it.

45. It would create an impression that all can presumably get the vote as a matter of course ?—They have to be enlightened in that way. The position is that by the time the next elections come on, the education department and the other agencies of the Government will have given sufficient education to these people to understand these problems. They will then be able to cast their votes intelligently.

46. Do you keep a record of the employees, their wages and so on ?—Yes.

47. So you could send a return if necessary within a specified time ?—Yes, without trouble to the administration.

48. The employers would not object to giving that return ?—There would be no objection.

49. Is there any list of factories under the Factories Act in this province—? I cannot say.

50. *Diwan Bahadur Ramaswami Mudaliyar :* Have you considered the question of forming a constituency of registered graduates to return a member to the legislative council ?—It will be much appreciated. If you have a constituency for the landlords, there should be a constituency for the intellectual aristocrats also.

51. You will have in that constituency all graduates of any university who are residents of this province and they would have the right of sending one representative to the legislative council. That would be much appreciated ?—Yes.

Memorandum submitted by Nawab HAFIZ SAIFULLAH KHAN, President, Muslim Representative Committee, Dera Ismail Khan.

I.—PROVINCIAL LEGISLATURE.

1. EXTENSION OF THE FRANCHISE.

(*a*) The existing Franchise should be extended so as to include 25 per cent. of the population in the electoral roll, by lowering the existing qualifications of the voters. The following persons should be entitled to vote :—

(1) Those who pay Rs. five as land revenue in a year, or

(2) who pay any other tax, or

(3) who own property worth Rs. 400 or more, or

(4) who earn Rs. 15 a month, or

(5) who have passed the primary school examination, or

(6) who have served in the Military, the Militia, the Constabulary, or the Police and have retired on pension, or

(7) retired Government pensioners, or

(8) retired Patwaris, or

(9) retired officials of district or Municipal Boards, or

(10) Jagirdars, Zaildars, Inamdars and Lambardars, or

(11) Literate persons who have been Imams of mosques for three years or more.

(*b*) Yes.

(*c*) Yes.

(*d*) My answer to (*b*) and (*c*) above is in the affirmative.

(*e*) For the present my answer to (*a*) includes all those who can cast an intelligent vote.

(*f*) All those who are not included in (*a*), should be formed into groups of 10, according to their profession, and each group should have a single vote through its representative. The representative of the group should be a voter on the same list as the other directly qualified voters.

(*g*) There should be no separate constituencies for the group electors at present.

2. FRANCHISE QUALIFICATIONS.

(*a*) Franchise qualifications in the urban and the rural areas should be the same.

(*b*) I agree with the suggestion that each community should be given a voting strength proportionate to its number but I am unable to offer any definite suggestion on the point.

Memorandum by Nawab HAFIZ SAIFULLAH KHAN. [*Concluded.*

(*c*) Yes. Those who possess property, whether moveable or immoveable worth Rs. 400 should have the right to vote.

(*d*) Yes. Every man who has passed the primary school final examination, should have the right to vote.

(*e*) Yes. Military service should include service in the Auxiliary and Territorial Forces, as well as in the Frontier Constabulary and the Border Militia.

3. WOMEN SUFFRAGE.

This Province is not yet prepared for women suffrage, for want of female education and the prevailing *purdah* system.

4. DEPRESSED CLASSES.

There are no depressed classes in this Province.

5. REPRESENTATION OF LABOUR.

There are no industrial centers in this Province and the labour is not in an organised condition.

II.—THE FEDERAL LEGISLATURE.

6. ALLOCATION OF SEATS TO PROVINCES.

The number of seats allotted to this Province is small. There should be at least three members in the Upper Chamber and six in the Lower, from this Province.

(*a*) Yes. I agree with the proposal.

(*b*) The Franchise qualifications for the Federal and Provincial Legislature should be the same.

(*c*) I would prefer the direct election system for the lower chamber. A member returned by the indirect system would not be a true representative of the people. If each district is allowed to elect its own member the constituency would neither be enormous nor unmanageable.

7. REPRESENTATION OF WOMEN, LABOUR AND DEPRESSED CLASSES.

No suggestion.

8. GENERAL.

No suggestions, as election has only been introduced just now.

ADDENDUM TO SECTION 1.

(*h*) I do not support the system described in this paragraph.

(*i*) and (*j*) No answer.

NAWAB HAFIZ SAIFULLAH KHAN.

(*Evidence interpreted.*)

1. *The Chairman*: You represent the Muslim representative committee of Dera Ismail Khan ?—Yes.

2. You have given a list of qualifications you propose for the legislature. Have you formed any idea as to what percentage of the population you will enfranchise. You have mentioned in the beginning of your paper that it will enfranchise 25 per cent. of the population ?—I have given that list with a view to qualify as many as possible.

3. You would like women also to be enfranchised ?—Why not ?

4. You say that the province is not far advanced ?—Of course, the province is backward in education. It is due to the purdah system.

5. We are told that if we enfranchise women it will create some sort of trouble. Is that true ?—No trouble at all. Why should there be trouble ?

6. That is what I want to know?—We must bring Frontier women to the same level as women in other provinces in India.

7. Supposing we enfranchise women, would they go to the polling booth ? —If proper arrangements are made and if purdah is maintained, why should not they go ? They will go.

8. There must be separate polling booths for women ?—Of course we must have some women polling and presiding officers also.

9. If there are separate entrances and exists for women at common polling booths and if there is one woman inside a polling booth for the convenience of women voters would that be enough ?—Yes, it would be enough.

10. *Sir Sundar Singh Majithia:* Do you think that all military pensioned officers should have the vote ?—Yes, in rural and urban areas.

11. How many seats do you want in the federal legislature ?—I want six seats ; 5 for Muslims and one for Hindus. The non-Muslims should have the whole province as the constituency.

12. If you give the non-Muslims only one seat, will there not be quarrel between the Sikhs and Hindus ?—Sikhs may have a seat then.

13. *Lord Dufferin :* You have made the interesting suggestion that the groups should be formed on the basis of profession ?—We agreed to the group system although it is not true democracy.

14. You say that groups should be formed on the basis of profession. Do you mean that 10 people all doing the same trade should be got together to elect one member ?—Yes.

15. You will then have groups of barbers, carpenters and so on ?—Yes.

16. Do you think it would be difficult to form groups in that way ?—I would not stick to the number 10. If you do not get 10 men belonging to the same profession you can combine two or three professionals to form a group.

17. *Sir Abdul Qaiyum :* You say in your memorandum that the province is not yet prepared for women's suffrage for want of female eductaion, but in your evidence you say differently. How do you reconcile the two ?—We want to awaken our women.

18. You say women are not yet fit to possess the vote ?—For the time being they are behind the other provinces in this respect.

19. You are not then prepared for women's franchise now ?—Not at present, but we do not wish to stand in the way of franchise and reform.

20. You say that at present you are not prepared ?—So far as it refers to the Afghan community. The other communities are more advanced educationaliy. We should not stand in the way of their getting franchise for their women.

21. The population of Peshawar and Hazara is much bigger than Kohat, Bannu and Dera Ismail Khan ?—I want one member for the Federal Legislature for each one of the districts.

22. On a population basis, Peshawar is bound to get more representation ?— But Dera Ismail Khan comes next to Peshawar in various respects. We have rendered great service to Government in many matters. We hold an important position in Dera Ismail Khan.

PESHAWAR.

Dated 7th April, 1932.

PRESENT:

ALL MEMBERS OF THE INDIAN FRANCHISE COMMITTEE EXCEPT SIR ZULFIQAR ALI KHAN AND ALL MEMBERS OF THE NORTH-WEST FRONTIER PROVINCE PROVINCIAL FRANCHISE COMMITTEE.

Mr. O. K. CAROE, C.I.E., I.C.S., Deputy Commissioner, Peshawar.

1. *The Chairman :* I think you want to make a statement on behalf of the Mohmands?—Yes. When the Peshawar district was irrigated by State canals between 1880 and 1910 it was not colonised like the Punjab districts: the waste lands were not declared Crown lands; instead of this the canals were taken through lands held in proprietary right and there was no regular colonisation scheme. Most of the tenants came in from across the border, most of them being of the Mohmand tribe. The result has been that in the last 40 or 50 years the Mohmands have become the second strongest tribe in the Peshawar district, the numbers being about 62,000. The system of tenures has been that the landlords contract with a middleman who is very often a Mohmand. The landlord contracts himself out of paying both the land revenue and the water rates, and the result is that although by law the landlord must pay the water rates and the land revenue, in practice, both the land revenue and the water rates are paid by the tenants. Now that we are considering the question of franchise, the result is that the actual cultivator of the most productive land in the whole province does not get a vote unless he happens to be a rich Mohmand who happens to have acquired land in proprietary right. We therefore have to consider whether any arrangement can be made to enfranchise the Mohmand. That raises the larger question of the enfranchisement of tenants as a whole.

2. *Sir John Kerr :* He is not an occupancy tenant?—No; he is a tenant-at-will.

3. Does it not raise the whole question of the Tenancy Act. What these Mohmands suffer from is inadequacy of Tenancy rights?—Yes; they complain that they have no stability of tenure and they would like to have an Act to give them something in the nature of an occupancy right. It is impossible to do that without changing the Act of the Province which is the Act of the Punjab. A change in the Act would give them a status under the new Constitution. What they want and press for strongly is quite impracticable; it is some measure of separate representation. When I asked why they wanted separate representation as it would involve splitting the Muhammadans, they said that with joint representation if they are included in an ordinary Muhammadan Constituency they will get into inevitable trouble with the landlords and if they did not vote for one man or another they would be turned out and their stability would be even less than it is at present. They said also that, if they could not get separate electorates what they wanted was adult franchise, in which they were very careful to say that they did not include franchise for women because it would involve *besatri* which means an uncovering or a deprivation of honour.

4. *Sir Muhammad Yakub :* It means exposing that part of the body which ought not to be exposed to a stranger.

5. *Sir Ernest Bennett :* The landlord is legally bound to pay the land revenue but he passes it on to the tenant?—Yes, under a private contract.

6. And the tenant has no franchise rights because he is not in law the actual payer ?—Yes: and the water rates actually are a far heavier payment than the land revenue.

7. That is the landlord's liability ?—No; we can collect from either.

8. It is a heavier tax ?—It is a very important impost because it is heavier than land revenue. In fact, the rate I am speaking of, *viz.*, that on sugarcane, is about 10 times land revenue.

9. Suppose you change the basis of franchise and make the water-rate the basis, would that not cover every tenant ?—What I am about to suggest is that if you want to enfranchise all these people, one of the best ways would be to take their names from the water-rate demand statement for average years. It varies, you see, according to the acreage irrigated. But you can take the demand statement for the last three years and strike an average.

10. *The Chairman :* Only a small fraction of the population will be paying water-rates ?—I am speaking of those areas which are the most productive in the province. I should say that, probably, three quarters of the Government dues on land in the whole province, not only of the district, come from this area of Charsada and Mardan. Actual cultivating tenants are not enfranchised now.

11. Supposing these people are given full tenancy rights of some kind, would they then get franchise under the existing rules ?—If they are given occupancy rights. Yes. One of our present rules is that an occupancy tenant paying Rs. 10 will come in.

12. How many will come in if they had full occupancy right ?—Most of them. If full occupancy right is to be given to them, we will have to pass an Act to amend the Punjab Tenancy Act.

13. *Sir John Kerr :* Would it be an unwise act to give them occupancy rights ?—I have not suggested that as yet.

14. *The Chairman :* If they have the vote, it would be easier to pass a tenancy or occupancy law ?—Yes. Their cause is likely then to get better representation.

15. They pay three quarters of the Government dues ?—I was speaking very much at random. They cultivate the most productive part in Charsada and Mardan. They certainly pay more than half of the land revenue and water-tax of the province.

16. *Sir John Kerr :* What is their number ?—It is about 62,000. The strongest tribe in the district numbers about 130,000.

17. *Mr. Tambe :* What would be the adult male population ?—It would be about a fourth of the whole population.

18. *Sir Sunder Singh Majithia :* The total population of men, women and children ?—62,000.

19. *Diwan Bahadur Ramaswami Mudaliyar :* What part of them are cultivators ?—The great bulk of them are cultivators. A certain number of them are Kamins. Whole villages move from tribal territories into the district and set up hamlets everywhere. Kamins do not pay anything to the Government. Some of them pay something to the district board. In their cases, the whole question of tenancy has to be considered.

20. *Mr. Tambe:* You maintain a demand register for water-rates ?—It is like a fluctuating revenue. It is worked out of every harvest. The demand statements are called Katannis. For every harvest there is a demand register prepared. Every irrigator gets a slip of paper and a list is then made out for what he has got to pay.

21. Whose name is shown in the register as liable to pay the water-rate ?—The names of the landholder, the cultivator and the tenant-at-will are included. The middlemen, if any, will also be shown. Wherever possible we make them jointly and severally responsible.

22. *Khan Bahadur Aziz-ul-Huque:* If irrigation rates are the basis of franchise, it might give substantial representation to these classes?—I should think so; but it varies from year to year. We should however lay down that if Rs. 10 is the land revenue qualification, water-rate qualification ought to be much higher because the pitch of the water-rate is much higher. I should like to say that it should be something like Rs. 50. If you are going to make water-rate a qualification, you must have a higher figure than land revenue.

23. What percentage of the cultivating classes excluded from the present qualifications, will come in hereafter?—I have not worked those figures. It will take a long time to get an estimate on that point.

24. *Diwan Bahadur Ramaswami Mudaliyar:* These tenants cultivate for long periods?—One of their complaints is that they have no security of tenure. They are liable to be turned out any moment. As a matter of fact, the landlords have their own very real complaints, too.

25. Are evictions common?—On paper evictions are common, but in practice they are extremely rare.

26. *The Chairman:* What are the grievances of the landlords?—They say that it is difficult to get tenants. It is partly due to the insecurity of life. They cannot get tenants from the Punjab. The landlords advance money to prospective Mohmand tenants. These tenants cultivate the lands for a short time and taking the advance with them go into tribal territory, leaving the lands.

27. *Sir Muhammad Yakub:* What is the nature of the area that they cultivate?—They cultivate the area irrigated by upper and lower Swat Canals.

28. What is the reason for their asking for separate representation?—They want to preserve their tribal entity.

29. Will it be possible to form that area into one constituency?—It would be possible to form all the Mohmands cultivating in Charsada into one constituency.

30. If you form them into one constituency and make water-tax as the basis for suffrage, they will have a separate constituency as it were through which their own men can come into the council?—That would cut across the existing constituencies. There would be men living in two constituencies paying water-rate for areas lying in both places.

31. That need not be a difficulty. In our province a man lives in two constituencies, but elects to be a voter in one constituency?—That may be possible.

32. That will solve the difficulty. Without saying on paper that you give them separate electorate, you give them a constituency in which they will be in an overwhelming majority and elect their own man?—I do not think there would be any overwhelming majority. The old inhabitants of the district would complain that we are neglecting their combinations.

33. Do you know anything about the United Provinces Rent Act. You have got life tenancy there instead of occupancy tenancy. If your tenancy law is amended on those lines, will that do? You do not create full occupancy tenancies, and at the same time you give stability of tenure to the tenants?—I think that anything that gives stability to the tenantry would be an advantage, but I believe it would be strenuously opposed by the landlord interests in the council.

34. In the United Provinces too in 1926 when we passed that law, it was opposed. The Congress and the Government combined to pass that law. It was opposed vehemently by the landlords. In the same way it is possible to pass an Act like that in this Council?—It may be possible, but it will be very strenuously opposed.

35. *Lord Dufferin:* What is the proposal that you have to get these people in?—They want separate electorate. That seems to be out of the question. I

think the easiest thing would be to given them some form of occupancy rights so as to bring them under the existing franchise qualifications without altering the constituencies. Failing that, I should like to base the franchise on water-rates.

36. *Mr. Butler:* Did you make any specific proposal to the Provincial Franchise Committee ?—I do not remember to have seen any particular reference to this point.

37. How does the three year's residential qualification affect them ?—They must be tenants-at-will. The difficulty about that is that it is very difficult to link the tenants to land revenue.

38. What about the area ?—That is a possibility.

39. Will this point be included in the recommendations of the Provincial Franchise Committee ?—It has to be. It would be difficult to work out franchise on water-rates. It would mean a lot of work and investigation. You would have to prepare a kind of record of rights with a system of mutations. In Charsada tenants run away after harvest without paying the Government dues.

40. *Sir Sunder Singh Majithia:* Don't you think then that it would be very difficult to have a regular register of these people ?—It would certainly be difficult to have a system of parallel revenue records.

41. *Khan Bahadur Aziz-ul-Huque:* Supposing constituencies are to be divided, then would you keep up the tribal territorial units as far as possible as they will be compact units, regardless of administrative classifications ?—I think it would be a good thing to link on new developments with the past, and preserve tribal entities.

42. Another opinion is that it would be very much desirable to do away with these tribal or clannish feelings if possible. In view of this, would you stick to the opinion you have given ?—I think it is much better to link up future developments with past traditions.

43. *Lord Dufferin:* At the moment suppose these people get the vote; into how many constituencies will they be divided ?—At present, the area I mentioned to Sir Muhammad Yakub is part of two constituencies.

44. Therefore there will be about 5,000 in each constituency ?—Yes.

45. *The Chairman:* You are Deputy Commissioner for the Peshawar District ?—Yes.

46. Has there been active interest taken in elections ?—Yes.

47. By all sections of the population ?—Yes. In one constituency, as many as 10,000 claimants came in who had not been registered on the original rolls.

48. What about canvassing and public meetings in connection with the elections ?—There have been certain restrictions placed on public meetings owing to the disturbances. But we allowed people to go round and hold small meetings in villages. There has been a lot of canvassing and posters broadcast. A distinctive feature of the elections has been the exhibition of a great deal of personal animosity. At present there is not much of party development.

49. Personal equations play a large part probably ?—Yes, they are an important factor.

50. On what are the divisions among the electorate based ?—In so far as there has been a division, it has been mainly personal. Some persons say that they stand for the big landlords' and Khans' interests. There are some who say that they would side with persons who represent the intellectual classes. It is very difficult to say what is going to happen. The whole thing is in embryo.

51. Are there town *versus* country elements in the elections ?—There has not been time to develop that spirit; but it is inevitable.

52. *Mr. Miller:* Do you have any signs to indicate that women will take interest in elections?—I have seen no such signs. I do not think there has been very much interest taken by them. It is very difficult to say anything on this point, because one never sees women in this country.

Mr. L. W. H. D. BEST, O.B.E., M.C., I.C.S., Deputy Commissioner, Kohat.

1. *The Chairman:* I understand that you have experience of district board and municipal elections. Can you tell us anything about your experience?—My experience amounts to this: we had our first district board and municipal elections at the end of last year and the beginning of this year.

2. Is the franchise the same as in other provinces for the provincial council?—It was not exactly the same. Rs. 600 property qualification was added to the franchise qualifications. Otherwise, broadly, it is the same.

3. Was there much interest taken in the elections?—In the municipal elections intense interest was taken, but it was purely based on personalities. It had nothing to do with parties or programmes.

4. At the elections to the district boards?—There it was very disappointing. It may have been due to lack of information although we tried our best to let the thing be known in every part of the district. A sense of compromise among the people is also partly responsible for the lack of interest taken. We have 16 constituencies, and only in 4 was there a contest. Even among these four contested elections, in one case, as there was likelihood of one of the candidates forfeiting his security for want of the prescribed number of electors voting for him, he withdrew after formal voting and thus it came about that there were only 3 contested elections out of the 16 constituencies.

5. Who were the sort of people returned? Were they notables?—In the district board elections particularly, they were mostly elders or such as you may call elders that were returned.

6. What about this election? Is active interest taken in it?—There has not been the same interest taken as in the local bodies elections. It is again probably due to the spirit of compromise among the people that this is so. The spirit of compromise has come to the fore and people have been pairing off. Now, however, I think interest is deepening. I mean to say that a number of people are going to stand.

7. What have been the issues in this election as far as you can judge?—Purely personal. The underlying idea seems to be that the fit men should be elected. It is no question of any particular policy.

8. Parties have not come into being yet?—Not at all, particularly in Kohat.

9. *Khan Bahadur Aziz-ul-Huque:* For the district board and municipal elections I understand that there is a rule that every candidate must deposit a security of Rs. 300?—Yes.

10. Don't you think that it will prevent any large number of candidates competing?—You mean to say that the amount is too heavy?

11. Yes. In other provinces there is no deposit demanded?—But that does not seem to deter candidates from standing in the municipality of Kohat. The question was raised that district board candidates might have been frightened by the security demanded, but actually we know that if a man can hope to secure the votes necessary to win at the elections, he can procure Rs. 300 without much trouble.

12. I have in mind a man who is just rising in his profession. It will be very difficult for him to find Rs. 300 for deposit, apart from the amount necessary for

election expenses ?—It is possible that election expenses more than the actual amount necessary for deposit might frighten intending candidates.

13. What will be the average election expense of a candidate at a district board election ?—The expenses would be great seeing that people are under the mistaken idea that if they have to go out of their houses they must be paid a lot for entertainment, conveyance and the like.

14. The Deputy Commissioner of Peshawar just now told us that the present franchise qualifications leave out the cultivating tenants. Do you agree that there is a substantial number in your district also ?—There is a large number in my district.

15. From your experience, do you think that constituencies should be divided on the basis of administrative units as far as possible or on the basis of tribal units ? —Do you wish me to answer from the district point of view ? In the Kohat district there are two distinct divisions that stand out on tribal lines and to divide them on that basis is the best thing to do.

16. You will make the tribal areas, as far as possible, compact units ?—Yes.

17. *Diwan Bahadur Ramaswami Mudaliyar :* What is the deposit for the legislative council candidature ?—Rs. 250.

18. *Mr. Butler :* How many people can you poll in a day ?—We found it possible to poll just 1,000. That was in the municipality. The arrangement seemed to go on well.

19. With how many clerks ?—We had a presiding officer and, on that day, we doubled the number of polling assistants.

20. How many had you ?—4. Presiding officer and polling assistants did the work inside the polling booth while the people outside checked the names with the voters' list and handed over the tickets to the voters.

21. Before they came in ?—Yes.

22. What about identification ?—Such work was done outside.

23. Just outside the door ?—Yes.

24. Did you have a court or an enclosure ?—It varied because we had to use the existing buildings. In some places we had schools while in other places we had halls where some special arrangements had to be made, according to the needs of the locality. There was no absolutely uniform plan.

25. You can do 1,000 satisfactorily ?—Yes.

26. How many constituencies were there at the elections to the municipality ? —11. Three were returned unopposed.

27. In how many constituencies were there 1,000 voters ?—Only in one constituency.

28. How many candidates were there for that constituency ?—There were three.

29. You had symbols or colours ?—No. We had no colours on that occasion.

30. *Mr. Butler :* In the case of the illiterate voter the Presiding Officer made the mark ?—Almost in every case he made the mark.

31. He made nearly 1,000 marks in the day ?—It is part of his work. It is the preliminary identification of the voter and handing over the voting slip and so on that really takes the time.

32. You would not allow any person other than the Presiding Officer to make the mark ?—Nobody is allowed to go anywhere near it.

33. That is one thing that will limit the number ?—That helps to limit the number, although I will still say that it is the other things like the 'tendered' votes that hold up the pace.

34. Have you ever thought of the coloured box system ?—I feel that the trouble we are faced with at the moment—I don't know how far it is true of the rest of the province—anyhow in my own district is the distrust that everybody has of everyone else. In other words, every candidate distrusts his opponent or opponents and always expects his opponent to take advantage of any flaw. The same thing of course applies to the Presiding Officers. It is very difficult to get the candidates to have real confidence in Presiding Officers. Of course, they recognise that he has enormous power to do any harm if he wanted to. When it comes to eliminating the Presiding Officer, it would be a very good thing if we could do so.

35. The Presiding Officer has the chance of falsifying votes ?—You have got to do one of the two things. You have either nobody in the polling station or else you have got to rely on your Presiding Officer.

36. You are content with your present method ?—I see no reason for distrust at all. I don't see anybody is going to risk his reputation and the good name of the whole proceeding by falsifying votes to that extent.

37. In conversation I have heard that a great deal of money is spent on elections by the candidates. Have you any laws relating to corruption which make it impossible ?—That is a very difficult question. I think it is only a matter of education really to conquer that. It is unfortunate. I think the candidates themselves are more to blame than the people when there is bribery.

38. I suppose legislation would not stop it. It has practically done so in England ?—The only trouble is that if you have too detailed legislation about this then it gives so much scope for false accusation and rendering the elections so precarious a matter that nobody will go in for it. If a man finds so many election objections and so on he will never come in.

39. The elections will be held now. Have you any idea what it costs a candidate ?—I really cannot say. Elections have not yet taken place. I hope it is not going to cost very much.

40. *Mr. Miller :* Do you mean that you actually polled 1,000 votes ?—We polled 720 out of 1,000. I think I exaggerated the figure. It was just about 900.

41. *Mr. Tambe :* Do you think under the proposed franchise the tenants have any prospect of returning representatives of their own choice ?—Including the tenants-at-will.

42. Yes ?—Yes, I think, they have every chance.

43. On the present franchise there will be a sufficiently large number on the electoral roll, so that they could send representatives of their own choice ?—I think, on the whole, persons elected would represent the general feeling in the district.

44. Is there a demand for the widening of the franchise ?—I think, there is now. At first there was a cruder feeling that the vote might mean money. I hope that will gradually disappear. In course of time it will undoubtedly. There is a definite desire amongst the people to have something that somebody else has got.

45. *Lord Dufferin :* It has been suggested that in order to simplify the polling procedure you should do away with the thumb mark. Would that be a good plan or a bad one ?—I suppose the idea of the thumb impression is that as you are going to have some election petitions you must have the proof. That is the only proof that you can produce. Until one eliminates election petitions, I am afraid, we cannot dispense with it.

* * * * * *

46. *Diwan Bahadur Ramaswami Mudaliyar:* Don't the women work in the fields in the rural areas ?—They do.

47. There is no question of purdah so far as the working classes are concerned ? —There is to a certain extent. Women working in the fields amongst their own men-folk is a very different thing from their going out to take part in some big collection of people. Amongst strangers, there is a distinct feeling and distinct difference. They might be ready to work in their own fields but they are not ready to go off to some strange places or far off from their villages.

48. *Khan Bahadur Aziz-ul-Huque:* What I feel therefore is that it is more the feeling that women should not mix with the strangers than that they have no desire ?—I agree. There is a lot in that.

49. *Diwan Bahadur Ramaswami Mudaliyar:* Do you think that even if there were special arrangements for women polling officers, etc., there would be no chance ? —Apart from the actual presence of women at the polling stations, the difficulty is about the registering of their names. As you know there is a great difficulty in getting men to name their wives' names. That is the administrative difficulty. At the moment it is extremely hard to have their representation on the electoral roll.

50. But I understand that in legal proceedings that difficulty does not arise ? —As far as I know, it all depends on the pressure that is brought. If you bring pressure they must do it. That is the real criterion—the amount of pressure that is brought. If they are told that they would have to go to jail if they do not give the name, naturally they would give all their details.

51. *Lord Dufferin:* Is there any Muslim lady in Kohat City out of purdah who would be suitable to act as a Presiding Officer ?—I am afraid, no. I know my wife had a purdah party and even then she experienced great difficulty in getting the ladies together. No ladies would come forward even for purdah parties. They are so nervous about taking part in public affairs.

52. Not even one ?—I would not like to say that off hand. At any rate, I have great doubts. Very few in any case. One or two at the most.

Delhi.

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DELHI.

Dated 4th February, 1932.

PRESENT:

ALL MEMBERS OF THE INDIAN FRANCHISE COMMITTEE, EXCEPT SIR ERNEST BENNETT.

Mr. A. G. CLOW, C.I.E., I.C.S., M.L.A., Joint Secretary to the Government of India, Department of Industries and Labour.

1. *The Chairman:* Can you tell us something about the trade union movement? Will you please tell us how far industrial labour is organised in the sense that this expression is understood in Europe, and how far trade unions can be used as constituencies for the representation of labour?—It differs a good deal from province to province. Trade unions are most vigorous in Bombay. In less industrial provinces they are less vigorous; and in Bengal, although it is the leading industrial province, the movement is not strong.

2. Would you say that the organizations are trade unions in the sense in which that term would be used in England?—They have not the cohesion or strength of British trade unions, and they tend to be run more for the workers than by the workers. There is of course a wide variation here also. At the bottom of the scale come unions formed by a President and Secretary more or less electing themselves, and the union may go little further than printing their names on note-paper; at the other end are the more live unions such as, for example, some of the railway unions and seamen's unions.

3. Do you think trade unions can be used for conducting elections and, if so, what way do you suggest?—The Labour Commission suggested that there should be some kind of tribunal for the purpose of assessing the claims of unions, provided that the unions were registered. The idea was that the tribunal should decide on the genuineness of the union and assess its strength, allotting so many votes to it on that basis. The unions would thus be combined to form one or more constituencies.

4. Would the persons elected in such elections be really responsible to the members?—To begin with, the election would probably be largely in the hands of the executive; but the Commission felt that the exercise of the franchise would itself have an effect in altering the character of trade unions and their sense of responsibility. Of course, the Commission were looking not merely at the effect of their proposal on the representation of labour and on the constitution, but at its effects on the development of organizations and so on labour directly.

5. *Sir John Kerr:* Do you think this system would be feasible in Bombay?—I think it would have the best chance there. But the officers dealing with labour in Bombay could speak with much more first-hand knowledge than I can claim of the conditions there.

6. If anywhere that has to be done, do you think that it can be done in Bombay?—If the Committee come to the conclusion that it cannot be done in Bombay, they will probably agree that it is not possible anywhere.

7. *The Chairman:* How is labour represented in existing legislatures?—By means of nomination.

8. What is the extent of representation by nomination?—Ten seats have been given by nomination; one seat in the Assembly and 9 in provincial Councils including Burma. These seats exclude the representation given to Depressed Classes.

9. Which is the more important place, the Centre or Provinces?—Hitherto the main interest has been in the centre as the last ten years have seen a big programme of important labour legislation in the Central Legislature, whereas there has been practically no such legislation in the provinces. Also the connection of the centre with Geneva and international developments has helped to focus interest there.

10. Is that likely to remain so?—It will depend upon the future constitution.

11. Could you state different classes of labour and could you give us some idea of the number of persons employed in them?—I give some figures for British India excluding Burma. The factory workers number over 1,400,000. But from these should be excluded the seasonal factory workers, most of whom are not distinguishable from the rural classes, *e.g.*, those employed in cotton ginning and pressing factories and such types of factory. This leaves rather over a million in regular factory employment. The number of persons employed in mines is about a quarter of a million. The railways employ about 800,000 but that includes a number of factory workers and miners. There might be possibly 650,000 railway workers apart from those we have already counted. Then the plantations have about 900,000. I should add that in all classes but the railways, the actual figures of workers probably exceed the statistical returns, as the latter are based on the average daily number employed as a rule.

12. I think Mr. Joshi suggested that there was a much larger number of labourers. I think he included in his numbers persons employed in small places employing four persons or more. By how much do you think the figures given by you will be increased if calculations are made on the basis of figures calculated by Mr. Joshi?—The number would increase immensely but you would be getting beyond organized industry altogether. The factory figures I have given relate approximately to factories using power machinery and employing 20 or more persons.

13. Would you include persons employed in village crafts under labour?—Not in the classes of labour which I have been considering. I think you would find it impossible to separate them from the rural population.

14. Are there many women workers?—In the factories possibly one in six of the total; these are a diminishing number in the mines, very few in the railways, and a big number in plantations.

15. What percentage of total population do these figures of persons employed represent?—Taking first the figure of labour employed in factories, I should put them and their dependents at over two millions. There are a number of unattached workers in the factories. In the mines workers and dependents must be well over half a million, on the railways over two millions probably, and in the plantations possibly in the neighbourhood of two millions.

16. The total figure is of the order of 6½ or 7 millions?—Yes, or possibly 8 millions.

17. *Sir Muhammad Yakub:* Do you think that all the labouring classes could be represented by means of trade unions?—No. The numbers actually connected with trade unions form a small section of the whole at present.

18. Do you think that trade unions could also represent agricultural labour?—Certainly not. The trade unions of industrial workers could not represent agricultural workers, and would not claim to do so.

19. Is it not a fact that agricultural labour is much larger in India than the factory labour?—The agricultural labour is certainly more incumbrous.

than the factory labour, even if you restrict the definition of agricultural labour to landless labourers.

20. What, in your opinion, should be the qualification for a labour voter?—That is a very difficult question. It will depend to some extent on the method of lowering of franchise. I have seen suggestions to the effect that the qualification should depend on the amount of wages but I doubt if this is practicable. In many industries, many workers are paid on piece-work system, and their earnings vary. In any case it would be difficult to justify giving a vote to the man earning Rs. 20 a month and not to the man earning Rs. 19. Further the level of wages varies from province to province and even within a province.

21. Do you think that agricultural labour should have separate representation as against landlords?—I am afraid I am not competent to give any opinion on that question.

22. What, in your opinion, would be the best method of giving real representation to labour in India?—The Labour Commission has suggested that this should be done through trade unions.

23. In reply to a question you just now stated that trade unions are not run by labour itself. In these circumstances, how do you think labour can be represented by trade unions?—I said that trade unions are not entirely controlled by the rank and file, but that does not mean that they cannot be representative.

24. Is it not a fact that at present trade unions are mostly run by politicians of a certain school of thought for their own political purposes?—I understand, Sir Muhammad, that you had a share in organising trade unions yourself; but I don't of course suggest that you are in that category!

25. *Dr. Ambedkar:* Supposing the principle of giving representation to labour through trade unions is accepted, do you think the mere fact that a man is on the roll of a labour union for a certain period is a sufficient qualification for him to get a vote?—Yes. It would have to be on some such basis, *e.g.*, membership for a year previously.

26. In that case how would you give representation to different classes of labour through these unions; for instance, how would you represent unions belonging to railwaymen and men working in factories and so on?—The idea underlying the suggestion made by the Labour Commission is that all the unions in a centre or province should be amalgamated so as to form a sort of electoral college and this group should elect a particular number of members to represent labour.

27. May I take it that you do not wish to give representation to labour on the basis of occupations?—If in any centre there were more than one seat, you could divide the unions by groups into single member constituencies. Personally, I think I would prefer to keep them together in one constituency.

28. Do you think there is any difference of interest between different classes of unions so far as representation of labour is concerned? Do you deem it necessary to distinguish factory labour from railway labour so far as representation of labour is concerned?—I should say that there would not be much difference of interest as between the factory worker and the railway man. They may differ on certain details, but their broad outlook is likely to be similar.

29. Do you find any tendency on the part of these organizations to develop on the basis of castes and creeds?—There have been one or two instances of this kind. For example, I understand that in Ahmedabad, the Mussalmans, who include most of the weavers, lie outside the textile unions. And I think there was formerly some trouble in Madras trade unionism between caste Hindus and Mussalmans on one side and depressed classes on the other. But I would not describe that as a regular feature of trade unions.

30. Would you make representation of capital a necessary condition to give representation to labour in the legislatures?—I should say that the claim of labour to representation in legislatures is stronger than the claim of capital to it. Capital will get representation through general constituencies but unless the franchise is lowered to a great extent labour will not be properly represented.

31. Assuming that the franchise is lowered, would you still be in favour of giving representation to labour in legislatures?—It will depend upon the extent to which the franchise will be lowered. Nothing much short of manhood suffrage would suffice in most places. There are one or two special areas where with a fairly low franchise labour might secure representation in general constituencies. Jamshedpur and the Jute-Mill area north of Calcutta are possible examples.

32. *Sir Zulfiqar Ali Khan:* What I should like to know is this. Supposing labour is given representation through trade unions, how can you say that labour generally can secure adequate representation through these bodies? There is a lot of argument based on figures that these bodies do not represent all kinds of labour.—I think if you adopted a system of representation through trade unions, they could represent the general labour interests.

33. At present there is no chance of securing representation of labour through the existing organisations (trade unions); is it not so?—I think the labour representatives that are at present sitting may fairly be taken as capable of representing labour interests. But if you add a trade union system of franchise, that might introduce an entirely different element.

34. You said that in Ahmedabad the majority of the Mussalmans are outside the unions?—I believe that is the case.

35. Then if election was through the Unions, they would be unrepresented?—I should expect them to form a union of their own if they were unwilling to join the Textile Association.

36. You said that the office bearers of these organisations generally impose themselves on the organisations, that there is somebody behind the whole thing, the President, Secretary or Treasurer, and that they cannot be said to be truly elected. Is it not so?—I did not say that they impose themselves. They build up the organisations to some extent, and then they are elected. But election is more a formal recognition of their service rather than an indication of democratic control.

37. Are these people mostly politicians, or are they really interested in labour and labourers?—Some are both.

38. Have you seen any such organisations in Northern India?—There are some organisations in Northern India. Sir Muhammad Yaqub would be able to tell you something about them, say, in the United Provinces.

39. I was thinking of the Punjab.—There are unions there too, especially in Lahore.

40. *Sir Sunder Singh Majithia:* Do you think that among these labour unions there are many people enjoying or fit for franchise?—I am not an expert on the subject of the general franchise. But you may take it that generally they have not got the franchise at present.

41. Supposing that they have their representation through the unions, would you exclude them from the general franchise? I doubt if any reasonable extension of the franchise would go so far as to include the factory labourers in general constituencies, but if some were included, you would still be justified in giving representation to trade unions. Members of commercial organisations which have seats can vote at present in other constituencies.

42. Now, supposing a system of representation through the Mukhia as he is called is introduced into these labour organisations, and the members of these unions are asked to exercise the vote through the Mukhia, do you think it would be a satisfactory system?—I am afraid I am not clear as to the precise system.

43. What I mean is this. There is a suggestion that we should adopt the principle of dividing the electorates into groups of 20, 30 or 50 each, and allow each group to elect one person to represent it, so that he could vote as a voter for the legislatures. Would you put this special constituency of labour or labour union on the same basis?—I should regard it as essentially different from representation through trade unions. This group system is obviously a scheme of indirect election for general constituencies.

44. Do you not think that it would be better than giving the vote to these trades unions as such?—The danger would be that you would be giving representation to the sardars rather than to labour.

45. But if the elections were through the Unions, don't you think the sardars in the labour unions would be running the whole show?—The Sardar may take some part occasionally in unions but generally speaking the Trade Union movement tends to cut across the power of the sardar.

46. *The Chairman:* May I ask what exactly a Sardar is?—It is not easy to describe briefly; you will find a description in the Whitley Report. The Sardar combines many functions in himself. Primarily, he corresponds to the chargeman in western countries. But he is frequently responsible for engaging the men and has often the power of discharging them. In addition, he may lend money to the labourers and may even house them. He wields extraordinary power in some industrial centres, particularly in jute mills and cotton mills.

47. *Sir Sunder Singh Majithia:* Then if they form a group of a certain number of people to elect representatives, they can be said to represent the whole people generally, can they not?—I think the Mukhia system might result in a class of men being elected in some areas acceptable to the sardars.

48. Supposing that it is laid down as a rule or law that these sardars should not be elected, don't you think it would be more satisfactory?—It would not prevent their nominees being elected.

49. *The Chairman:* The system of mukhias is this. You divide the whole population into groups, each group electing one of its own members to be included in the ordinary roll of electors. Supposing you adopt the mukhia system, a group of 20 electing one of their own number, they might then elect a Sardar or any other as their mouth-piece.—Would a group in such a case be a group within an industrial establishment or a territorial group?

50. It would be formed out of territorial units or population. In any case it would be a group of 20 or so, the whole population being divided into such groups. Each group would then elect one of its own members to be an elector. Now on that assumption, would not a fairly large number of such men or mukhias be genuine labour men? Though it is possible that you may get sardars elected under this system, you may get other men also, may you not?—You would get other men also.

51. *Diwan Bahadur Ramaswami Mudaliyar:* You said that in the Assembly there is only one Labour representative. Have the other non-official members of the Assembly ever been hostile to labour or against any labour legislation proposed by the Government?—On the whole the Assembly has shown a considerable sympathy for labour. The attitude varies of course; some members may be opposed and others have been strongly in favour of labour, quite as much in favour of labour as the labour representative. I should add that on the whole it has been true that capitalists have co-operated in the passing of some labour measures to a remarkable extent.

52. May I also say that many of the resolutions for the amelioration of the condition of the labour population have been tabled and moved by non-official elected members, apart from the labour representative?—There have been some, but not many.

53. So far as Government labour is concerned, either in railways or anywhere else, there have been many questions from non-official elected members.—There were certainly a large number of questions on railways and railway labour, but I think the interest was more in railway workers as Government servants than in labour as such.

54. These matters relate practically to all kinds of labour. Take the postmen for instance. Would you class them as labourers? I think you will be right in including these people in the term "Labour". When you include railway labourers, I do not see any reason why you should not include postmen.—I was not thinking of postal workers in dealing with labour. They are not a section of industrial labour.

55. There are special constituencies in England, no doubt, but I do not think we hear of special representatives for labour there. But here in India, we have got communal constituencies which are bad enough. I am afraid we will be increasing these special constituencies if we keep labour electorate separate. Would you suggest from your experience of labour that labour should be specifically represented by its own representatives? Will it really help labour if it is represented by two or three men from the trade unions instead of being represented by the general members?—After there is some indication of the franchise on which the general members are elected it would be easier to express an opinion on the extent to which special representation would be required.

56. The franchise may depend upon our anxiety to avoid general constituencies.—Any such general constituencies would hardly give effective representation to labour. If you brought in 10 per cent. of the population for example, you would not be likely to touch the bulk of industrial labour.

57. Taking the ten per cent. basis, that would give about 25 million voters as against the existing 6 million voters. Do you think this would substantially affect the character of the electorate?—It would not appreciably affect the position of labour.

58. Supposing industrial labour is concentrated in a few places in India, don't you think it would not sufficiently represent the general labour population? You may take it that industrial labour is concentrated in a dozen or more places, apart from plantation labour?—I agree that the bulk of labour is concentrated in a limited number of centres. As I said earlier, there are one or two areas where labour forms such a dominant section that with a fairly wide franchise, they might secure election in general constituencies; but these areas are exceptional.

59. If you have a wider electorate on a geographical basis would you still insist upon labour having separate representation?—I hope I have not been insisting. I think labour leaders would still ask for special representation for labour.

60. Do you see that it is outsiders that legislate in regard to labour interests? Are they elected by the labour unions?—In most cases the men nominated to represent labour have been leaders in the unions.

61. Even when the Government wants to send representatives to Geneva, is it not from outsiders that they are selecting representatives of labour?—Yes.

62. Supposing you limit the special representation to trade unions, would you restrict the candidature to the men actually doing labour, or do you think that the labourers may be given free choice in the matter?—I am in favour of giving them a free choice in the matter.

63. *Mrs. Subbarayan:* Could you tell me the proportion of women to men among the factory labourers?—I think the proportion would be about one in six.

64. Do these women belong to the trade unions?—To a very small extent. For all practical purposes they have no effective voice.

65. Have they got any special organizations?—I cannot think of any at present.

66. If labour is given special representation, it is not likely that women workers will be represented in the legislatures?—I would not be prepared to say that. The most active spirit in the big textile union at Ahmedabad is Miss Anasuya Ben and she would have a good chance of election.

67. But she is an outsider?—Yes, but I would expect the men elected to be outsiders also.

68. Supposing women are not represented, do you think men are able to look after the interests of women labourers? Do the men in the labour unions pay much attention to the interests of women and children?—I do not think they do. As a matter of fact, children in factories are a small and diminishing number and women occupy a small place in factory life.

69. In Madras I think women are employed in the beedi factories.—Many women are employed in the small unregulated factories everywhere. I was speaking of organized industry.

70. Will the representatives from trade unions look after the interests of other labour classes?—So far as the interests of labour generally go, I think they would adequately represent them. I do not think they will look to their own special interests alone.

71. Do you think that if there are women on the legislatures not particularly belonging to labour organisations they will be able to look after the interests of the labouring classes?—I think on the whole women representatives in this country are more anxious to serve their interests than the average men. Educated women in this country have certainly shown considerable interests in labour welfare.

72. They will be of more help in passing labour legislation?—That does not necessarily follow. But they would probably be more in favour of any ameliorative legislation than the average man.

73. *Khan Bahadur Aziz-ul-Huque:* Do you think labour legislation should be in the central legislature, or on the provincial legislature?—I stand by the views expressed by the Whitley Commission.

74. If labour legislation were central, do you think that labour should be given representation in the provincial councils?—I do not regard labour representation merely or even chiefly as a means for the passing of labour legislation. It must look after the general interests of labour and it should make a contribution of value on other questions.

75. To that extent, do you think that the general people are as much interested in labour legislation as the labourers themselves?—I do not think they are interested to that extent.

76. What I want to know is if labour is not particularly required to look after its interests, would you still justify labour classes being specially represented by their own men?—I would still include labour in the legislatures. They should have some voice.

77. Supposing in a particular place we find the labour classes developed as in industrial areas, do you think that labour will come by itself in the general constituencies?—I think in a few areas like Jamshedpur it is possible.

78. So far as Bengal is concerned, do you think it is quite possible to get labour representation from the general constituencies, rather than from

mill areas?—In a few limited areas, industrial labour forms the bulk of the population, but elsewhere the labour population is mixed up with the general population and so it is difficult to say definitely. I suggest asking local opinion on the point.

79. *Mr. Butler:* Trade union representation seems to be objected to because these unions in other countries are too much mixed up with politics. Do you think it possible to separate industrial from the political sphere?—With present tendencies it seems impossible to draw a line or to exclude the trade unions from the political sphere.

80. Do not trade unions tend to become tied to a particular party?—We have not got a clear cut party division as in England and trade union members might take different views on political questions.

81. Don't you think that trade unions should not be encouraged to take part in political activities?—I think they are bound to take part in some political activities and if you don't give them scope in the legislatures, their political activities may take a less helpful form.

82. *Sir John Kerr:* We have been discussing mainly the representation of organized labour; how would you provide for plantation labour?—In speaking about organised labour, I was not thinking of plantation labour. It is quite unorganised and seems likely to remain so for some time. In Assam much of it is aboriginal.

83. By no means all of it?—No.

84. Have you considered at all the application of this mukhia system to plantation labour?—No. I am afraid I have not. My own first hand knowledge of plantation is slight and I think you would get better information from persons with special knowledge of plantation labour.

85. *Major Milner:* There is an impression among some people that trade unions should be restricted to industrial matters, is that not?—That was suggested.

86. Do you say that the activities of trade unions should be confined to their particular affairs but not include politics?—No, I don't.

87. You will probably be aware that employers' organisations in other countries have their political activities?—They elect members of the legislatures in this country.

88. Employers' organisations may elect their representatives for all purposes and it would be an unfair suggestion to say that the activities of trade unions should be limited to industrial matters, would it not?—It is a matter of opinion as to whether it is unfair. It is not my own view that they should be so limited or can be so limited.

89. If you were a trade union organiser, you would use both industrial and political methods?—Certainly.

90. As time goes on and as the unions have a larger membership, they would elect proper representatives?—Yes. The unions are admittedly in an embryonic state; but the grant of the franchise would in itself produce a big change, even if it only resulted, to begin with, in the creation of unions *ad hoc*.

91. You say, Mr. Clow, that when labour legislation and other matters affecting the interests of labour are brought up in the legislatures, there is necessity for proper and adequate representation of labour?—Yes.

92. And that labour has also got a large part to play and a valuable contribution to make to the general position?—Of course.

93. *Mr. Chintamani:* Besides the reasons stated already, have you got any others for preferring representatives from the unions to a system of secondary election?—The Whitley Commission did not specially consider the question of general secondary election. They regarded the choice as one between direct election and indirect election through trade unions.

94. Assuming that the Franchise Committee recommends that the franchise should be so broadened as to bring in a large body of labourers, would you still say that the representatives of trade unions should have a specified number of votes?—I think I would.

95. Assuming for the moment that it is decided that representation should be direct and not through trade unions, would you want separate representation of labour or reservation of seats for labour, or the two together to make the representation of labour satisfactory?—I do not think you could have reservation of seats without a special electorate, but it is a question I would prefer to leave to the Committee.

96. If the question were left to you, would you insist on having special electorate?—I think they should have it.

97. How will you provide for unorganised labour and agricultural labour?—I am not really qualified to speak for them.

98. Does unorganised labour form a very large part of the total labour population?—If you mean people within organised industry, but outside the labour unions, it is certainly so.

99. Then they would be left without representation?—I do not think so necessarily. With the franchise and as time went on, labour organisations would develop.

100. Have you any idea of the quantum of labour representation that there should be in the provincial legislatures and in the central legislature?—I would prefer not to express an opinion. It must depend on so many factors, the size of the Councils, their functions and the character of the general constituencies.

101. You said something in reply to another question about the recognition of trade unions. Would you confine that privilege to recognised trade unions or registered trade unions?—To registered trade unions.

102. Are the conditions of registration laid down anywhere?—They are. They include an annual audit of the accounts, the maintenance of lists of members, rules, etc., the inclusion of workers on the executive up to at least half the total; and there are limitations on expenditure in certain directions.

103. You don't think that there will be occasions for complaint about non-recognition?—There may be occasions. Certain associations have complained.

104. You don't think that there would be any legitimate room for complaint about hardship done to any association by its being refused recognition or registration?—I don't think unions have reasonable grounds for refusing to register; but the Trade Unions Act could be altered if the legislature took a different view.

105. Would you make any distinction between trade unions in the service of the Government and those outside?—No, not if they both catered for industrial labour. I wouldn't give representation to unions like I. C. S. associations or others of that kind.

106. Would you give representation to trade unions, whether so called or not, in Government departments?—I do not think separate representation is necessary in the case of educated employees such as clerks, who can exercise their influence in general constituencies.

107. If those bodies are also accorded representation, would you impose any restriction as to the persons who could be elected?—No.

108. You don't think that there will be any necessity for the representation of Government servants?—Not for Government Servants' unions as such. I would include industrial labour employed in the Government workshops and factories.

109. Exactly on the same footing as persons in private factories?—Exactly on the same footing.

110. *Khan Bahadur Aziz-ul-Huque:* Would you like to give representation to labour even in the provincial legislatures although labour matters are the concern of the Central Government?—I should consider that representation in the provinces also would have its value.

111. *Dr. Ambedkar:* You said that there were certain limitations imposed by the law in the matter of registration of trade unions. I just want to know whether the law places any limitation on these labour unions utilising their funds for political purposes?—Yes.

112. *The Chairman:* I want to ask you one question more. Can you give any figures regarding the proportion of labour of the type that we have discussed earlier to the labour which is organised as registered trade unions?—87 unions were registered in 1929 claiming 183,000 members. This figure includes some unions which may not be regarded as industrial organisations.

113. On the present basis, it would only be a trifle out of the whole body of industrial workers?—Undoubtedly.

114. Are the trade union organisations growing rapidly?—No. There is now rather a check on account of the present economic conditions.

DELHI.

Dated 23rd March, 1932.

PRESENT :

ALL MEMBERS OF THE INDIAN FRANCHISE COMMITTEE, EXCEPT SIR JOHN KERR AND SIR ZULFIQAR ALI KHAN.

Mr. G. MACKWORTH YOUNG, C.I.E., I.C.S., Secretary to the Government of India, Army Department.

1. *The Chairman :* You are Secretary in the Army Department ?—Yes.

2. You have not put in any memorandum, I understand ?—No. The Reforms Office has sent in a note* which has been written in consultation with me.

3. Are you speaking on behalf of the Army or the Government of India ?—The Government of India in the Army Department.

4. There are two aspects of the problem. One is whether, assuming that the vote for the retired officers and N. C. Os. of the Indian Army for the provincial councils is retained, it should be extended to the Federal Assembly. The other is whether in the event of this vote being retained it should be given in any form to the Territorial and Auxiliary Forces. Have you any views on the first question ?—I don't think that affects the military administration.

5. Could tell me what are the exact purposes of the Territorial and Auxiliary Forces ?—The Territorial Force is the Indian force. They have different conditions of service. The Territorial Force is supposed to be the second line to the regular Army ; Provincial Battalions form the bulk of the Force and are organised on the same lines as the Indian Army Battalions. They are supposed after a period of 6 months' intensive training to take their place in the field with the regular army, if need arises. They are liable for general service, that is to say, service in any field in which the Army may be serving. Their training consists of fixed periods, generally 31 days, and in the case of specially selected units two months when they have to go into camp. For the rest of the year they are not called up.

6. What is the normal period of training ?—Normal training is for 31 days. There are certain units that get special extra training of two months. They are certain of the better ones. But that is liable to modification at any time. For instance, this year we were so short of money that we had to reduce the training. The Auxiliary Forces have shorter periods of about 10 days in camp. The great bulk of the training is done where the men live in the form of drills and musketry.

7. What is the normal length of service ? How long on an average ?—In the Territorial Forces Provincial Battalions it is normally 6 years. It may be 4. The normal period is 6 years.

8. And the Auxiliary ?—They can go to 6 years, but normally they serve only from 4 to 5. I am not quite sure. A great many of them go much longer. Then there are the urban battalions of the Territorial Force ; of which there are only 3. They were started as an experiment. Their conditions of service and those of the Auxiliary Force are almost the same. They are people in better walks of life than the ordinary Territorial Force recruit ; a large amount of their training is in the form of drills.

* Not printed.

9. What is the view of the Department about the extension of the existing franchise of the *ex*-officers and N. C. Os. of the Regular Army to the members of these forces ?—As far as the officers are concerned, it would be unnecessary. They would be persons who would in any case have the franchise. As far as the men are concerned the difficulty arises on account of the fact that in order to make the measure effective you would have to give the franchise to men while they are still serving. You would be conferring on them a privilege which is not enjoyed by the members of the regular Army, whose liabilities are of course much greater. The sepoy of the Indian Army serves a total period of 12 years of which 7 are with the Colours and 5 with the Reserve. Until he leaves the Reserve he would not get the vote.

10. Reservists would not get the vote ?—On the wording he would not be entitled to. This measure of enfranchising pensioned, retired and discharged officers was introduced when there was Colour service only and so the question of Reservists did not arise. On my reading of the Rules they would not be entitled to a vote until they have left the Reserve, that is 12 years from the date of enrolment.

11. A suggestion has been made in one province that you should not give the vote to the members of the Territorial and Auxiliary Forces until they have completed 6 years so as to make it correspond to the men of the Regular Force ?—There would be no comparison with the regular soldiers who would not be normally entitled to the vote until they had put in 12 years and I don't know whether that would lead to invidious distinctions.

* * * * * * *

12. But supposing this question of Reserve was squared up, would there be any objection ?—I don't think there would be any serious objection, but whether it would be worth while I don't know.

13. Supposing you put them on the same basis as the regular Army. Do you think that the vote that they would get would induce a large number of resignations prior to the general election stimulated by candidates in the areas where they live in order that they may retire and get the vote ? Do you think that will be a factor of any importance in the provinces ?—A man could not ordinarily get his discharge earlier than it was due, that is until he had completed 6 years. In certain cases the period of service is 4 years. Premature discharge certainly would not be given for this purpose. That is with regard to the Territorial Force.

14. *Sir Ernest Bennett:* Both the Territorial and the Auxiliary Forces are voluntary bodies. They are not paid otherwise than during training ?—They are paid on a different system. The training is different. I am not sure how it works out. In the Auxiliary Force, I suppose, it is in the form of grants, with certain payments when they are in camp.

15. On that ground a distinction can be made. An argument was adduced that a number of people might join the Auxiliary Force with a view to get the vote and withdraw afterwards. They are not paid anything ?—Once they have joined they have to do the service. The rules are much stricter than was the case with the late Volunteer Forces.

16. Most of the Auxiliaries would have the franchise in any case ?—Yes.

17. *Mr. Tambe:* In paragraph 6 of the note* it is said : from Mr. Dunnett's letter of 3rd March it will be seen that the Army Department are strongly opposed to any extension of the franchise to serving members of either force ?—Yes, while serving.

18. The objection is that when the regular forces do not get the franchise these men should not get it ?—That is the objection. The other is that it is objectionable to confer franchise on serving soldiers while they are under military discipline.

* Not printed.

19. What is the objection ? Soldiers in regular Forces are enfranchised in England and there is no objection there ?—If there was universal adult suffrage that would be different. If the suffrage is conferred on a particular class there is serious objection to conferring it on the serving personnel as such.

20. What is the objection ?—You want to avoid turning the Army into a convenient and accessible field for electioneering.

21. *The Chairman :* Assuming that you don't have adult franchise but franchise is given to serving members of the Army, that opens the field for special electioneering in the Army and the Army has objection to this ?—Yes, in the lines. That is the Army objection.

22. *Khan Bahadur Aziz-ul-Huque :* I suppose there would be the further objection that every Government employee in the civil departments would also claim a vote as a Government servant. That would be difficult to resist then ?—That might be so.

23. *Diwan Bahadur Ramaswami Mudaliyar :* I understand that the objection to the enfranchisement of serving soldiers is this. At present, so far as the camps are concerned, there are very strong rules prohibiting outsiders from going into the camps and addressing them on general political issues of any kind ?—Yes.

24. Outsiders are not permitted into these cantonments generally and into these camps at all to speak to the soldiers about any political matters ?—Certainly political activities of that kind would be discouraged.

25. If the franchise is given to these people, obviously you cannot prevent a candidate from going and addressing them on the issues on which he stands and seeks election ?—Quite so.

26. What I have not been able to follow is this. So far as the Auxiliary and Territorial Forces are concerned they are in camp only at particular times of the year and at other times they are following the avocations of civilians ?—Yes.

27. Therefore though they may be called serving members of the Auxiliary and Territorial Forces, you can't prevent them from exercising their franchise which they may get otherwise at the time of the election ?—There is no objection to that. The objection would be if you enfranchise members of the Auxiliary Force or the Territorial Force as such.

28. In their right as members of those Forces ?—For the reason that it would not be desirable to enfranchise any section of serving officers or soldiers.

29. So you can't put members of the Territorial Forces who obviously have less responsibilities than the regular Force in a better position ?—That is the idea.

30. When you say that the Department is strongly opposed to any extension of the franchise to serving members of either force, I understand that you merely mean that you are opposed to give the qualification on the basis of their being members of the Force ?—Yes.

31. If they are alternatively qualified there would be no objection ?—No.

32. So far as the Auxiliary Force is concerned don't you think that practically all of them would come under the extended franchise qualifications ? For example, under the literacy test they would come in ?—Yes.

33. Most of them would come in on the lowering of the urban qualification ?—I should think so.

34. As regards the Indian Territorial Force, the members of the University Training Corps will not come in because most of them would be under 21 ?—Yes.

35. A few of them would come in if literacy qualification is prescribed, because I understand they are students of the Intermediate standard ?—Yes. There is

another objection, attention to which has been drawn in Mr. Dunnett's letter. The University Training Corps are not liable for military service. For that reason it is rather doubtful whether that privilege should be conferred on them.

36. This privilege is unnecessary for them because if all Matriculates, say, are enfranchised practically all the members of the University Training Corps who are above 21 will come in ?—Yes.

37. There is no need of considering this question of giving them privilege of any kind ?—No.

38. Similarly with reference to the urban units of the Indian Territorial Force.—The question only arises with reference to the Provincial Battalions. So far as they are concerned you are against giving them the vote as members of the serving force ?—Yes.

39. *Mr. Bakhale:* May I know the number of persons who are enfranchised under the military service qualification at present ?—I am afraid I have no idea. The figures must of course have been very much affected by the Great War.

40. Will it be possible for you to send us at a subsequent date ?—I can enquire, but I should think it is almost impossible.

41. May we have the percentage of the people enfranchised under military service qualifications that would be enfranchised under any other qualification also ?—There again, I think it would be almost impossible to find out. In 1920 it was estimated in the Punjab that there would be 2,00,000 military voters.

42. In the absence of that information it would be rather difficult to consider this question ?—I am afraid I have not considered it at all.

43. May I know why military service qualification does not exist for the Central Legislature ?

The Chairman: It is altogether outside the franchise for the Central Legislature. If military service was treated as qualification for the vote to the Central Legislature, it would completely alter the plan of representation in the Assembly from the Punjab.

44. Surely it would be very useful to us if we can get the figures of people who are enfranchised under military service qualification ?—It must be there in one form or another. We can probably get it.

45. *Mr. Bakhale:* It would also be useful if we can get some information as to the number of people who are so enfranchised, but who would not be enfranchised under any other qualification ?—We can get the number of people who are enfranchised on that qualification. The other information is difficult to get.

Then it will be difficult for us to consider this question.

46. *Sir Sunder Singh Majithia:* Mr. Young, why don't you give franchise to the retired soldiers for the Federal Assembly ?—I am not really qualified to give an opinion on that. We have no views on that.

47. *Mr. Butler:* To what extent is the Anglo-Indian community interested in this question ?—The Anglo-Indian community forms a very large part of the Auxiliary Force.

48. We have been discussing a great deal about the grant of representation to the Anglo-Indian community on the legislatures. The fact that they form a large proportion of the Auxiliary Forces has not till now been put before us ?—In the railway battalions they form a very large proportion.

49. How far do you think would the grant of franchise for military service qualifications satisfy their aspirations ?—I do not know exactly what effect it would have. It is very difficult to say that unless one knew how many Anglo-Indians in the Auxiliary Forces would receive the franchise. I am inclined to think, however, that a concession like this would not have any very large practical effect, because so many people would be enfranchised already.

50. What are the railway battalions ?—Battalions of the Auxiliary Force consisting of railway employees.

51. *Mr. Chintamani :* Assuming that a certain number of officers and men of the regular army get the franchise owing to general franchise qualifications and not on account of military service, would you object to their exercising the votes because they are serving in the army ?—Not as individuals.

52. In this note* it has been stated that members of the regular services who are not retired are not given the franchise owing to their military qualifications and that, for that reason, members of the Auxiliary and Territorial Forces who are not retired should not also be given the franchise ?—Yes.

53. But assuming that some officers who are members of the regular army have the franchise on account of other than military service qualifications, you do not object to their exercising the right on the ground of their still being in active service ?—No.

54. In the same manner, you should not object to the members of the army exercising their right secured as members of the army ?—Yes.

55. If that be so, why do you object to military service qualification being recognised as a qualification for the vote whether in the Auxiliary or Territorial Force ?—I think I have explained that. What we think undesirable is the extension of the franchise to any military man who is still in service, *as such.*

56. As such. But so far as their participation in voting is concerned, it is immaterial from the army point of view whether they did so because they are otherwise qualified ?—It is immaterial with regard to one who has got the vote anyhow.

57. Is it on the ground that at present only an inconsiderable number of officers and men in military service are otherwise qualified ? Do you think that if military service qualifications were recognised every man in active service would be qualified and it would be an inconvenience ?—Yes, that is the principle. We should also consider the probable effect it would have on the large body of persons who would not have the vote. Then there is this difficulty of the candidate going to the cantonment, getting together the electors and speaking to them.

58. Suppose there are 100 men in a cantonment and 20 of them have the vote on account of the possession of qualifications other than military service qualification. A candidate goes to the cantonment seeking their suffrage. Just so, he would go to them if all of them are qualified ?—He would find it very difficult because the Indian units are not necessarily stationed in places where they are recruited. A battalion recruited in the Punjab may be stationed in Jubbulpore.

59. Do you mean to say that on account of the geographical reason even those who possess the qualification actually have not got the opportunity to vote and therefore you do not feel any inconvenience ?—That has not weighed with us.

60. Supposing military service qualification instead of being extended to other forces is done away with altogether, what would your view of that be ?—I think it would be a great blow to the military classes if their vote is taken away.

61. Among the existing classes, there are not many qualified on other grounds besides military service ?—I suppose there are some.

62. Do you express this opinion merely because the franchise that has been once given to them, if deprived after 10 years, would be a great hardship or for any other reason ?—It is outside my province. I am not very much concerned with that because it is a matter which concerns cantonments.

63. I understand that you would prefer not to express an opinion on a question of policy, but would give us information only. Is that correct ?—My point is that it is not a thing which affects the army policy.

* Not printed.

64. *The Chairman:* The question of Mr. Chintamani is whether a proposal to withdraw the franchise from the army would or would not cause resentment in the army ?—I think it would. But what its practical effect would be, I do not know.

65. Would it cause resentment in the army ?—I think so. It would lower the status of the retired Sirdars.

66. So, from that point of view, you would not consider the withdrawal of the right already given and you would not consider the grant of that right to the Territorials because they have not been given that right ?—Yes.

67. *Major Milner:* Do the military authorities have any views on the effect of abolishing the direct vote and substituting the indirect system of voting by groups ?—The military authorities are very keenly interested in anything which tends to enhance or adversely affect the status of a soldier on retirement.

68. They would prefer to retain the present system ?—Yes.

Memorandum submitted by the CENSUS COMMISSIONER FOR INDIA.

The only point raised in the questionnaire on which I propose to volunteer a statement is one involved in sections 4 and 5 (*a*) which deals with the Representation of Special Interests. Neither the Prime Minister's letter nor the questionnaire of the Franchise Committee makes any reference whatever to the case of the Hill and Forest tribes, large numbers of which are found in various parts of India. These tribes cannot generally be regarded as forming part of the Depressed Classes. Generally speaking they are not Hinduised and follow their own tribal religions, and as such they occupy a social position which is certainly not that of the Depressed Community. No doubt many of these Hill and Forest tribes will be found to occupy areas which are definitely excluded from the scope of the Franchise Committee's investigation, but this is not the case in all provinces, and probably not entirely the case in any province, so much so indeed that out of 4½ million persons belonging to such tribes and professing tribal religions, as distinct from Hinduism or Christianity for instance, 1¼ million out of 4½ million persons are found in the Central Provinces in which no provision has been made for the exclusion of any area occupied by the aboriginal tribes. In Bihar and Orissa again although it is possible that separate arrangements can be made for the Chota Nagpur plateau, there are appreciable numbers of tribesmen allied to those inhabiting the plateau to be found sporadically in the rest of the province.

2. From many points of view the interests of these tribes are antagonistic to those of their neighbours and of the province as a whole, in which they form, as a rule, a very small proportion of the population. To give two examples only, since conditions vary greatly from one part of India to another, their system of cultivation generally involves an expensive destruction of forest land, since the hills which they occupy are hardly susceptible of irrigation, while their customs and even their religious practices involve the brewing of alcoholic drinks so that they are entirely out of sympathy with the prohibitionist sentiments of their Hindu, Muslim and, generally speaking, of their Christian neighbours. In the matter of land-ownership they have suffered many things at the hands of the people of the plains, and a reference need merely be made to Rai Bahadur Sarat Chandra Roy's book on the Mundas to give some idea of the way in which the Hill and Forest tribes have been dispossessed of their land by the application of laws and practices entirely alien to their sentiment and customs. It follows perhaps that the Hill and Forest tribes are, to some extent at any rate, material of which Depressed Classes are made; but if they are not yet Depressed Classes, it is obviously desirable that they should be protected from becoming so, and under a *règime* of popular Government by re-

presentatives it seems essential that the Hill and Forest tribes should be somewhere represented on the governing body for protection of themselves and of their ancient rites and customs which are often antagonistic not only to those of the majority but also to those of Government. There is a great gulf between most of these aboriginal tribes and the ordinary sophisticated citizens of the plains. Owing, however, to the fact that the Hill tribes are neither rich nor vocal nor politically minded, their interests are almost always ignored, and in evidence of this I may quote (1) the case of the Central Provinces, where, in the tentative scheme made out by the Franchise Committee, in the tracts inhabited specially by primitive tribes, the population of the area to be represented by a single member of the Council was two or three times as great as in the more advanced tracts, and (2) the case of Madras, where the Hill tribes of the Agency tracts of the Circars are already represented in the same constituency as the plains districts of Ganjam and Vizagapatam and East Godavari in which not only are the interests of the Hill constituents entirely at variance with those of the plains but they have not any chance of contact with the members who sit to represent the constituency in the existing Legislative Council.

3. The case does not, of course, arise in all provinces—that of Burma may, for the present, be omitted in view of the probability of the separation of that province from the Indian Empire. In the Punjab, the United Provinces and the minor provinces and administrations of northern India the case does not arise, since the primitive tribes are either absent, or are already merged in the Depressed Classes but with the other provinces it is probably necessary to deal separately as the case differs in each province.

Assam.—It is understood that in this province the bulk of the hill districts will fall into a segregated area outside the scope of franchise. There are, however, very considerable numbers of primitive tribes, either Hinduised or non-Hinduised, within the area which will in any case be enfranchised. For these people separate Bodo constituencies have been proposed in Goalpara and Kamrup districts and a Miri constituency for Sibsagar and Lakhimpur districts. This does not cover the case of the Mikirs and of scattered Kukis, Khasis, Nagas, Syntengs and some other tribes. The Mikirs inhabit a definable tract and should either be excluded or specially represented, as they are liable to suffer severely at the hands of the neighbouring plains' men who wish to extend their holdings at the expense of the hill-men. In the case of representation, nomination is probably the simplest method, and in that case the same nominee could represent the scattered Kukis and others mentioned above. The question of the representation of the Jaintia Hills also arises here. There are two communities on very different footings, the educated and advanced Synteng, and the very primitive Kuki, Mikir and Bhoi on the fringes of the same tract. Probably the boundaries will be rearranged to exclude the latter, otherwise different representation seems necessary for Synteng, who in Jaintia Hills would elect his own, and for the Kukis and Bhois in the Lower hills who could hardly do so.

Bihar and Orissa.—It is presumed that the five districts of Chota Nagpur, the Santal Parganas and Angul District will be excluded from the area enfranchised. This is certainly most desirable, but if it is not to be done, then these areas should elect their own special reprentatives. It should not be difficult to arrange as the hill men are in majority, and any plains' men living in the hills will be well enough represented by those elected from other areas. The representatives of the hill areas should perhaps represent the actual numbers of the hill men rather than only those enfranchised.

Outside these seven districts the hill and forest tribes are possibly numerous enough to have a representative who should probably be nominated as it would be difficult to arrange for election from various scattered localities.

Memorandum by the CENSUS COMMISSIONER FOR INDIA. [*Continued*

Bengal.—The Hill tribes here fall into two different areas, and it is presumed that the Chittagong Hill tracts will be excluded from the scope of the franchise. The inhabitants of that district are closely allied to the Hill tribes of Assam and Burma in the north and east and many of them are acutally Buddhist. If the Chittagong Hill tracts are to be excluded, and also the districts of Darjeeling and Jalpaiguri, which are "non-regulation" districts as it is, the problem resolves itself into that of the aboriginal tribes which occupy the western fringe of Bengal in Midnapore and the adjoining districts. Their numbers are not inconsiderable and they amount altogether to some 400,000 though this is a small proportion of the population of Bengal. The Bengal Census Superintendent in a note on the subject writes as follows:—

"At the present stage it is more important to foster amongst the primitive peoples a feeling of common interests based on blood and ancestral culture than to attempt to force the pace of any development of which they may be capable and to instil a sense of collective responsibility for the general welfare. If the opinion is sound, inclusion in any other group is ruled out and special treatment is called for. I think that the best way of dealing with them would probably be to have a 'Commissioner for primitive and hill tribes' and to administer for them a special system of laws or customs through selected officers.....The next best thing, I think, would probably be some form of special representation if it could be satisfactorily secured."

In case of a separate constituency or rather a separate representative for the Hill and Forest tribes of Western Bengal being unobtainable, it might be possible in Bengal to use the Depressed Classes constituency, since the depression from which the Depressed Classes suffer is much less in Bengal than in some parts of India. The fact that Rajbangshis and Mahishyas have themselves risen out of that class and are no longer regarded as "Depressed," is a testimony to that effect, but there is some danger to the interests of primitive people being swamped or disregarded, if they are included in any other group.

Bombay.—In this province the numbers of the primitive tribes are almost as numerous as those of the Depressed Classes, amounting to 1½ millions in number and consisting of two fairly homogeneous groups, the Bhils and the Kolis, each of which should be separately represented. The Bhils might conceivably be formed into a territorial constituency, but this is in any case impossible with the Kolis who are scattered all over the province so that nomination is probably the only method possible for representing them.

Central Provinces.—Here the numbers of the aboriginal tribes run into millions, over a million of which still profess tribal religions and are not even semi-Hinduised or Christianised, but all are likely to fall into the enfranchised areas. Being, however, mostly illiterate and possessing little property, they are entirely without the vote and have a particular need of protection. If the areas they inhabit cannot be excluded as in other provinces, the only method of protecting them is to give them representation either by elected or nominated members. It is possible that one method might suit one area and another, but in any case, the representation should be in proportion to their numbers if the protection given is to be of any value.

Madras.—In this province the tribes referred to are to be found entirely in three Circars' Agencies. These three Agencies' areas should be entirely excluded. If they are to be included, special representation by nomination is probably the only method by which representation could be given, but it is to be noted that very little is known of the Madras hill tribes, in comparison to those of Bihar and Orissa and Assam, and their interests are apt to be entirely ignored, as by some extraordinary procedure they have even already been included in an enfranchised area with which they have absolutely nothing in common and in which it is quite unnecessary to include them. In this connection I append to this statement a note

Memorandum by the CENSUS COMMISSIONER FOR INDIA. [*Continued.*

by the Census Superintendent of Madras, which, in view of his personal acquaintance of these tribes, is worth careful consideration. As in the case of all Hill tribes bad administration or ignorance or neglect of local customs causes great discontent and is liable to lead to insurrection, an enfranchisement in which the vote is entirely swamped by antagonistic interests is no sort of a safety-valve for the brooding grievances of hill men whose traditional customs have been overruled.

There remains the case of the *Andaman* and *Nicobar Islands*. Probably these have been entirely excluded from any scheme of franchise, though the Nicobarese, whose village organisations survive intact, are probably quite as capable of exercising a vote as most villagers in India. It is understood that the Nicobarese have applied to be made a Crown Colony, as they are very much afraid of exploitation by traders from India, but the question of giving them a franchise probably does not arise, since the area can conveniently be excluded from the scope of legislative bodies. The people have more in common with the Burmese and with the inhabitants of the Madras coast, and have really never been administered in the sense that India is administered. They are mostly left alone to look after their own affairs which they do with complete satisfaction to themselves as long as they are not interfered with by outsiders.

To deal with the whole situation it seems undesirable that the primitive tribes in the areas not excluded from the franchise should be amalgamated with the Depressed Classes. It is only occasionally that they have anything in common with those classes and they would certainly suffer by being grouped with them, while the Depressed Classes would probably gain nothing. In view of the fact that their interests are very largely antagonistic to those of the surrounding peoples it is only just that they should be somehow represented on any body which has the right of legislating for them, but in many cases it would be extremely difficult to arrange for any representative to be chosen by any other method than by nomination. Equally difficult will it be to find suitable representatives to nominate from the tribes to be represented. In the case of Assam it has proved impossible so far to find a really satisfactory representative to nominate to the Council from the Hill tribes. This has not been due to the entire absence of suitable persons so much as the fact that there has been a constitutional bar to the nomination of officials. Probably by far the best representative from most of the Hill tribes is some official who has had long administrative experience of the people he has to represent, and it is therefore in every way desirable, if not necessary, that there should be no bar to the nomination of officials to represent the Hill tribes. At the same time, such officials should be absolutely free to vote in the interests of the people they represent as an official appointed to give a vote to the Government is worse than useless for this purpose; indeed the interests of the Government may frequently be antagonistic to those of the tribes represented.

Where, however, election by tribesmen themselves is feasible, it would often be possible to utilise the natural and traditional methods of representation which still obtain in many tribes, thus in Assam a given clan in most tribes would have little difficulty in saying who is the proper person to represent it, and even in the case of scattered communities there would generally be found some sub-clan able to point out a definite person as its head and mouth-piece. Obviously any utilisation of the clan system to elect a tribal representative would have to be carefully worked out with different details for different areas, but in so far as such a system could be made workable, it would be in many ways the most satisfactory solution of any. The clan system is the natural stock on which enfranchisement might be grafted and made to bear fruit. Failing this, officials well acquainted with the tribes they represent would probably be the representatives most welcome to the tribes themselves, and therefore they should not be excluded from nomination, though it is not, of course, suggested that nomination should be limited to them. Effective representation is required for aboriginal tribes which inhabit enfranchised

areas, and it is not desirable in their own interests to amalgamate them with Depressed Class constituencies. Wherever possible, however, territory inhabited by hill or forest tribes should be excluded entirely from the scope of representative institutions for the present.

Note dated 20th February 1932, from the Superintendent of Census Operations, Madras.

The problem which primitive tribes present where electoral representation is in question is essentially single. Individual differences of tribe from tribe, however considerable, hardly enter; what matters is the gulf that separates all such peoples in their modes of life and thought from the ordinary Indian types and to secure a realisation by the legislative body of the existence of that gulf and its extent. Regional representation is therefore of secondary importance and the total number of primitive tribes in the province, over 1½ millions, would justify a member in the legislative council. The number of voters technically qualified would be very much less but it is hardly fair to apply to the tribes a test meant for the totally different circumstances of the plains. To alter the test to suit the conditions would be difficult and unwise; it is better to declare at once that the tribesman's claim to representation is not based solely on numbers and means.

Only nomination would be practicable for such a constituency and the circumstances would justify the continuance in this case of that much criticised method of representation. The ideal member would be an official with administrative experience in these areas. It is most unlikely however that official members will continue and non-officials with the requisite acquaintance with the modes of life and thought of the primitive tribes are very few and do not generally seek to sit in legislative bodies.

If regional considerations enter, the problem in Madras presidency at once resolves itself into the 3 Circars' agencies. There we have 1,200,000 primitive tribes, a number sufficient to justify a single member. Even here however election in the ordinary way would be impossible, for the constituency would cover about 20,000 square miles. The arguments in the foregoing paragraph on the most suitable type of representation apply still.

2. At present the agency tracts and other areas occupied by primitive tribes are included in the ordinary constituencies. Thus the district of Ganjam with its agency forms a single constituency for 3 members. The district of Vizagapatam with its agency (excluding the city of Vizagapatam) is a single constituency for 2 members. Similarly for East Godavari and its agency. If it is remembered that Ganjam district and agency are nearly 8,500 square miles in extent and Vizagapatam over 17,000 it will be realised what chances of contact there are between the sitting members and the inhabitants of the agency tracts. This implies no censure on these members. The physical limitations stare one in the face. The bulk of their electors and the totality of their critics live in the plains from which they themselves have sprung. It is not to be wondered at that they never visit the agency and take little thought for it. For that matter the vastness of plural member constituencies is a weakness of the whole electoral system in India. Separate representation might be declared by some to be a retrograde step but no one really studying the situation as it exists could reasonably maintain this view. These tracts are in process of being opened up at a rapid pace and the imminent completion of the Raipur-Vizianagram Railway cannot but accelerate this process.

3. I feel strongly that separate representation of some sort is desirable and is practicable by means of nomination but I do not think that lumping the primitive tribes with the Depressed Classes is desirable save as a last resort. The type of member who would represent the Depressed Classes is the last sort of man to understand or appeal to the primitive tribesmen of the Circars. He might have some-

thing in common with some of the small debased communities in the far south but the numbers of these last are inconsiderable and their influence and importance even less.

4. I recommend therefore that separate representation of the primitive tribes be secured by nomination in this presidency. This would ensure the recognition in the electoral system of the social unity which is the basis of the Indian political system and of Indian life but which was departed from when the Circars constituencies of 1919 were drawn up.

DR. J. H. HUTTON, D. Sc., I.C.S., Census Commissioner for India.

1. *The Chairman:* You are the Census Commissioner ?—Yes.

2. Will you tell me what part of the census work is done in the Provinces and what is done from Delhi ?—From Delhi we issue first of all a Code of the arrangements under which the census has to be made regulating the general arrangements. The Provinces then issue their own codes. They carry out their own enumeration and compilation of the results and then each province publishes separate reports. In Delhi we co-relate the whole thing and publish for the whole of India.

3. I think the final figures of the 1931 census have not been published ?—They are just ready. They are in the proof stage.

4. Have you got the figures about the distribution of population under various categories such as landowners, tenants, landless labourers and so on ?—The report would give you figures for all that.

5. Could you get it for us from your office ?—The compilation tables are not yet finished.

6. When will they be ready ?—The tables are ready for one or two provinces, but I do not expect to get all the tables ready until the end of the hot weather.

7. Would it be possible to get the tables for at least one or two provinces ?—Yes. For Ajmer-Merwara we have already got the occupation tables. United Provinces has got ahead of other provinces, but Bombay is very much behind hand.

8. Will you send us a statement for one or two provinces showing the figures under occupation categories in about a fortnight ?—I would get you for certain provinces and possibly for all provinces under some categories. It depends on the order of sorting. Usually in the sorting made for preparing the tables, the figures under the heads 'land-owners,' 'tenants' 'agricultural labourers' and so on come early.

9. You think it is important that for the aboriginal tribes there should be definite representation given ?—It seems to me so because I have spent all my life for them. I rather gather that the Government of India was not very much interested in them. They made no reference to them at the Round Table Conference and I was afraid that their case would go by default.

10. You say that there are 4½ millions of them in the provinces in the excluded areas ?—In Madras they are over a million in three districts. They live in segregated areas.

11. Do you think they are capable to-day of exercising the franchise ?—Many of them are most capable and not all.

12. Are they more or less capable than the other people ?—Some of them are most probably more capable because they have their aboriginal organisations.

13. Supposing the qualification for the vote is lowered a good deal, say to Rs. 10 land revenue or to Re. 1 or As. 8 chowkidari tax and that the educational qualification is also similarly lowered, would any considerable number of people that you have in mind, be added on to the roll ?—No.

14. Why is that ?—Very few of them have much educational qualification. The land revenue qualification of Rs. 10 which you suggested is also too high for them. It would keep out of the roll the majority of the hillmen in the Agency tracts in Madras. In a great many cases they probably pay only a house tax which is not land revenue.

15. Supposing we say that anybody who pays any tax is to be given the vote, what will be the result in their case ?—If you do so, it will enfranchise large numbers. Most of them pay house taxes.

16. Are there large numbers of these people in Bombay and United Provinces ?—In Bombay there are large numbers of them in Panchmahals. In the United Provinces there are 200 of them in the whole province.

17. If a qualification is prescribed in Assam and in Bihar and Orissa based on payment of chowkidari tax, would it not bring a considerable number of them on to the roll ?—I think it might.

18. Assuming for the moment that by this method also they would not come in, what will your alternative proposal be to give them votes ?—I would give them separate representation.

19. How are they to be elected ?—In some cases in Bihar you have tribal organizations which would elect their representatives themselves. There are different conditions in different provinces. In Assam they have a board of representatives which works well.

20. The existing practice is to give them representation by nomination ?—Yes.

21. That of course is objectionable under any system of responsible government because it gives the Governor, in some degree, power to make or unmake a Ministry. That is one view. Therefore it is important that we should find some method other than nomination ?—I think the elective method could be worked in certain areas; but the system will have to be varied in different areas. Someone who knows the localities concerned very well would have to be called in to work out a system.

22. Assuming it is impossible to hold elections in those areas, what system would you suggest for their representation ?—I would mention a concrete example. In Kolhan in Bihar and Orissa there is the clan organization still existing. It is known to all the aboriginals there. According to it, the village headman elects representatives of several villages and they again meet together and elect tribal representatives. There you have got a complete system already. It is, however, quite absent in Bombay.

23. Will you suggest any special franchise by which a certain number of these people could be put on the roll ?—I think you should have a separate roll.

24. *Mr. Chintamani:* Would you be satisfied if there was a recommendation that the Agency tracts in Madras and the other areas in other provinces which you have mentioned in your note are constituted into separate electorates instead of being mixed up with contiguous areas or the plains portion of Vizagapatam, Ganjam and Godavari in Madras ?—I should be satisfied if it is also stipulated that the representative should be one of the tribes of the area.

25. Could you not trust the members of those tribes to elect one from among themselves, if available ?—If there is one among them they will elect.

26. They will have discretion to do that ?—I would trust them.

27. I think you will get carpet-baggers ?—They can be trusted to turn such people out. They will realise what is involved in their electing an outsider, though in some cases it might work against them. In Ajmer-Merwara, however, Mr. Sarat Chandra Roy, who was chosen to represent their interests, did so fairly well. I think there should be a stipulation that no outsider should be chosen as their representative.

28. In the first place if there were no such stipulation, the tribes might elect either one among themselves or an eminent person like Mr. Sarat Chandra Roy who, they think, may well be their representative; in the second place assume that you impose that stipulation and the tribes find that there is none among them competent to speak for them, would you not be doing them a disservice? Thirdly, suppose that they do not realise at the first or second elections, as we do, the importance of their sending a true representative of theirs and how their interests will be best served, they will repent afterwards, is it not so?—It might be too late then.

29. Some people have suggested nomination for the representation of these people. Suppose there is no system of nomination recommended at all or, even if there is such a recommendation, there will be no officials nominated, what would your alternative be?—The tribes themselves should elect from excluded areas. I do not know if you will insist on a certificate to that effect for the person to be so elected.

30. *The Chairman:* I have asked him whether he will submit a proposal on that point and he has agreed.

31. *Mr. Chintamani:* I only wish him to consider one point in preparing that memorandum, *viz.*, if there was such a stipulation as mentioned by him, then a person like Mr. Sarat Chandra Roy would ever have been elected.—No.

32. *Lord Dufferin:* You would not give them seats on population basis?—I would.

33. You would give them as many seats as they can be given on a population basis?—Yes, with a minimum of one.

34. If you give them on a population basis in Bihar and Orissa, they will get many seats?—Yes.

35. But will they be able to produce the required number of men on that basis?—Very few.

36. So if you exclude outsiders from standing as their candidates, they would not be having as many representatives as they would be entitled to have on a population basis?—No.

37. Don't you think that a plural constituency is a suitable system for representing these people?—I think unless special representation is to be given to them, they would not get any representation. No other method is worth worrying about.

38. *Dr. Ambedkar:* The problem of the aboriginal tribes looked at from the electoral point of view is not so much to see that their voice is heard. The real problem, as I understand it, is to raise them to a level so that they will feel that they are not below the rest of the Hindu society and that they are, more or less, on a par with the Hindu society. If we give them representation, it will give them a feeling of some importance.—— It might do. I have not thought of it in that light.

39. To-day they feel that they are absolutely outside not only the social system but also the political system. They feel that they are simply ignored.—Yes. I do not know if they feel oppressed by that at all. I think they would prefer to remain outside.

40. In so far as their elevation is concerned, if they had a system of representation by which their own men came into the legislative council, that system would exercise a great deal of elevating influence upon their society?—I think it might.

41. From that point of view, it is very necessary that their own men should be in the legislative council, rather than somebody else on their behalf?—That will certainly be the case in some cases.

42. Assuming that it is difficult to provide some sort of direct method of election for them and assuming that nomination is not a suitable method, do you think it would be satisfactory if apart from giving them votes, the various legislative councils co-opt a member from these tribes to represent them on the various legislatures ?—I should not like to commit myself like that. It is very difficult to foresee what would happen. It would be better than no representation.

43. Better than nomination ?—I have not thought about it.

44. Supposing co-option was confined to members of the tribes themselves ?—Oh, I see. I think it would be better than merging them in large constituencies. That is a matter on which I would commit myself.

45. It would be a better method ?—It would be a better method than merging the hill tribes in large constituencies or even into one electorate.

46. Supposing co-option was confined to members of those aboriginal or hill tribes themselves, don't you think that would be a more satisfactory method, assuming that election is difficult ?—I am not quite sure that I understand the method quite all right.

47. Supposing that every Legislative Council or at least those Legislative Councils in provinces where the population is large, co-opted one, two or three persons who actually belong to these hill tribes to sit in the Legislative Council as members, would that not be a satisfactory method, assuming that nomination is not to be thought of and election is difficult ?—I think it would be better than merging the hill tribes and the ordinary population into one electorate.

48. *Mr. Butler :* With regard to the Central Provinces you say that large numbers of the aboriginal tribes are likely to fall into the enfranchised areas ?—Yes.

49. Do you suggest different methods for those which come within the enfranchised areas and those that come outside those areas ?—I think the tribes in the enfranchised area might possibly be given representation on the basis of actual numbers instead of on a franchise qualification.

50. Is there an enormous number in the Central Provinces ?—I think I have got the figures with me. Would it not be possible to reserve part of the Central Provinces into separate constituencies ?

51. They do not have in the Central Provinces, as far as I know, the same tribal system as they have in Assam.—In parts of the Central Provinces the tribal organisation is practically intact. I think in Chanda it is so. In the native states they have retained the tribal organisation.

52. The native states are outside this enquiry.—Yes.

53. That is one of the big problems in the Central Provinces, *i.e.*, representation of aboriginals. Have you any objection to nomination ?—No, none at all under certain conditions. I think in the Central Provinces we will have to have it in certain places. The Kolis can quite conveniently be represented by co-option. You may have a consolidated constituency of Bhils. I think you may probably do it in parts of the Central Provinces, if you get the tribal organisation to work. Elsewhere, where they are excluded, I think you would have to resort to nomination. I do not know Central Provinces very well enough to be prepared to commit myself.

54. *Mrs. Subbarayan :* I think you said that you objected to the tribal people being merged in an ordinary constituency. That is because you fear they would not get their own representatives elected ?—Yes.

55. Suppose a district like Vizagapatam is divided into several constituencies, and one constituency is so constituted that these hill tribes form a good propor-

tion of voters, don't you think that would be better and they would have a voice in the election whether they elect one of their own number or any other person ?—I do not think it will work in practice. I think any other person will pay attention to promises, but do nothing else afterwards.

56. If their voting strength is powerful in the constituency ?—Even if the great majority were Khonds and Savaras, I do not think unless the representative was limited to one of themselves, they will be adequately represented. The mere fact that they have a preponderance of vote will not improve matters.

57. Even if they (candidates) have to depend on their suffrage ?—No.

58. Are there educated men capable of participating in legislative work among these hill tribes ?—Not very many. The difficulty is they are not educated enough to participate in the work. They are accustomed to run their own affiairs. But I think the difficulty is to find a man of sufficient education to represent them fairly well on the deliberative body. That is the case in Assam.

59. Therefore even if they are given separate representation, they will not be able to participate in Council work ?—That will be the difficulty at first.

60. If it is a question of nomination, whom should the Government nominate ?—I think there should be no bar. It may be given to an outsider. But what is present to my mind is the case of one of the very few hillmen in Assam who can fairly represent these people. He was barred because he was a Government servant. And one of my points was that Government servants should not necessarily be debarred, though I see the disadvantage of it, that they might not stand up to their people when necessary.

61. You said in reply to the Chairman that if in Madras any taxpayer is given the franchise, a number of tribes men will come on the electoral roll. Do you think any women will also come on the electoral roll ?—I should not think so. I think no woman would probably come on to the electoral roll, but I am not certain. Most of the women of the hill tribes do not hold land. On the other hand, in some tribes they (the women) own all the possessions. In Madras there may be no such system and the women would not have any property at all.

62. Would it be possible to introduce the group system among these tribes, say 20 of them electing a secondary ?—That could be done in many cases and would have the most satisfactory results.

63. Would women also come into these groups ?—I think in some cases they would.

64. And would the groups elect women representatives ?—Very few would.

65. Would a woman secondary be elected to the Legislative Council ?—In a majority of cases, they would say 'We are not accustomed to it'. For a long time to come they would not come in. They are very conservative. On the other hand the women would be the only people who will have the franchise under the property qualification.

66. Is it a fact that because the interests of these hill tribes have been to some extent ignored, all these years, they are decreasing in numbers ?—In some cases they are decreasing in numbers. I am bringing out a special table showing what the decrease and the increase is. In the case of Andamans the decrease has been appalling. The Andamans may become almost extinct in a hundred years.

67. *The Hon'ble Mary Pickford :* Where there is a self-governing tribal organisation, do women take part in politics ?—In one or two cases they do. But generally speaking, where women own property, men conduct the political affairs. There is one village I know of which always elects a female ; but they conceal the fact.

68. Except where women own property, the position of women would be very subordinate ?—I would not put it that way. But they are usually excluded from politics.

69. If they are given a system of their own for choosing an elector, the woman would not in fact carry any weight ?—No.

70. *Sir Ernest Bennett:* You are probably aware that in other parts of the British Empire the chief problem of representing these people has been solved by nomination of somebody who devotes his life to some extent to their needs and interests. Don't you think it is a wise solution of the question ? In Australia and other places that is found to be the only way to do it.—If you can find the right men, that is the right way to do it.

71. Sometimes a local missionary may be found capable of representing them. Would it not be advisable to nominate him?—Yes.

72. *Mr. Tambe:* Excluded areas form part of the provinces, though they are excluded from enfranchisement. I think you have brought your suggestions to the notice of the Provincial Governments ?—No.

73. Why ?—I have not been asked. Nobody asked me. My advice was not asked for.

74. Would it not be better if you brought your suggestions to the notice of the Local Governments ?—Presumably the Local Governments have their own experts and authorities. I do not think that is any business of mine. I will only be snubbed for my pains.

75. Don't you think it is an All-India matter ?—I was dealing with aboriginals in some provinces.

76. Do you not think the aboriginals question is an all-India matter rather than provincial ?—It depends entirely on the constitution to be conferred on India.

77. Would you bring them on the Federal Assembly ?—I should think they should be represented.

78. In the second chamber ?—I do not know what the constitution of the future Legislature would be. It is very difficult to give an opinion on that.

79. In your memorandum you say, 'it seems essential that the hill and forest tribes should be somewhere represented on the governing body'. What do you mean by 'governing body' ?—I mean the legislature.

80. You continue, 'for the protection of themselves and of their ancient rights and customs which are often antagonistic not only to those of the majority, but also to those of the Government'. May I have an instance or two of the latter ? —Sometimes the interest of the Government will be to exploit their forests, whereas it is the only possible area of cultivation for the primitive tribes. It may be in the interest of Government to drive an oil mill in an area on which the forest tribe depends for its support. I have known both cases.

81. Perhaps you refer to the policy of prohibition of Government ?—Yes.

82. So, would you say there should be no prohibition so far as they are concerned ?

The Chairman: I do not think it is quite relevant, Mr. Tambe.

That is one of the grounds on which he wants to give them separate treatment.

83. About Central Provinces you say that the representation should be in proportion to their numbers if the protection given is to be of any value. Suppose there is no representation by election but there is representation by nomination; do you propose that a large number of persons should be nominated ?—Not so as to swamp the Provincial Council. I would not go to that extent.

84. *Khan Bahadur Aziz-ul-Huque:* Are you aware of the fact that in the district of Birbhum in Bengal a backward tribe wanted to abolish a liquor shop

and they could not do it even after three years ?—What happens always with most of the aboriginal tribes is that the liquor supplied to them is such that would destroy them entirely.

85. Is it possible for you to tell us to what extent the practices and the communal rites of the backward tribes have been affected by the legislature not giving due consideration to the matter ?—In Bihar and Orissa the Mundas have a land system.

86. Is it possible for us later on to get an idea of the landlords and the aboriginal tribes and the backward tribes that have been affected by the general laws of the country ?—I can give you certain instances from my own knowledge. It will take a long time.

87. I think the Census Commissioners in each province can take up this problem as part of their report.—They might.

88. I find you are definitely of opinion that the representation of the backward classes should not be done by representation of the depressed classes. They are two different problems ?—I think they are.

89. In answer to Lord Dufferin you said that plural voting might be helpful to them. But in view of your remark that the hill tribes are neither rich nor are politically minded, don't you think that in a system of plural voting they would not achieve their purpose ?—I do not think the representatives that you get in that way would be very satisfactory.

90. Is it possible in these backward areas to have a smaller electorate of 500 persons instead of one million ?—Do you mean as far as the electorate goes ?

91. Suppose there is to be some sort of election, how will you do it ?—I think you could have an effective system of secondary election. Villagers generally know who could represent them, and there would be no difficulty in regard to the backward areas in this matter.

92. You say that this problem differs from province to province ?—Conditions are different and you could not lay down the same system for all.

93. Suppose a province objects, you have no objection to make it an All-India question ?—I cannot say.

94. What you require is not so much, at this stage, to raise their level as to protect their interests ?—Yes.

95. *Major Milner :* You draw a distinction between aboriginal tribes and hill and forest tribes ?—No distinction.

96. You say effective representation is required for aboriginal tribes, but you say that the hill and forest tribes should be excluded.—I did not mean any distinction. I would exclude all the people I could for the time being. Wherever I could get a homogeneous area I would exclude it and treat it as a native state.

97. You put the aboriginal tribes and the forest tribes on the same footing ?—Yes.

98. Do you think the group system could be applied to them ?—Yes.

99. You have a census organisation for the whole country. I understand the whole organisation is a voluntary one. Is it so ?—The actual work of enumeration in which the whole information about individuals referred to on the roll is to be obtained is done by voluntary agency, of Government servants and others.

100. How do you organise the work ?—We take the district as the unit, and each district is divided up into so many circles. Each circle is divided into charges, and the charges are divided into blocks. Each block is roughly fixed according to the nature of the villages. One enumerator is given 50 houses.

101. For the whole country you have a census, and probably have the villages divided into blocks of houses of 50 or 40 each ?—That division of the blocks is for the next census.

102. The whole country can be divided into blocks of 50 houses each ?—That figure is to be taken a little roughly. We had, as a result of Congress interference, to take considerably bigger blocks in Bombay. But generally it may be done.

103. Is there any difficulty in dividing the whole country in normal times into blocks of 50 houses each ?—There is no difficulty administratively. You can have maps prepared on this basis.

104. Each province has its own Census Superintendent ?—Yes, and he deals direct with the Deputy Commissioners.

105. Would the result of the Census operations indicate the heads of the households in respect of the 50 houses in each block ?—You cannot tell from the existing schedules who the head of the family was. Generally speaking it is the head of the house that gives all the information to the enumerator. It is possible to get information as to the heads of families.

106. When the census is taken that information can be ascertained ?—The enumerator can go to each House and after enquiry can get a perfectly right answer about the heads of families.

107. You say there is a record of occupations. It includes the heading of landless labourers who will be presumably wage-earners ?—Yes.

108. So that when your enquiry is complete, you can tell us the number of individuals who are wage-earners ?—We can give no details of individuals. We can tell the number in each district in India of persons returned as agricultural labourers, as people possessing no land, who work for a wage.

109. Could you tell us in a day or two these figures for all India ?—No.

110. Can you tell us these figures in relation to the last census ?—I think we can give you the figures for agricultural labourers.

111. Can you tell us the cost of obtaining information about heads of families, and the landless wage-earners, approximately, on the same lines as the census ?—It would cost ten lakhs.

112. To make these small enquiries, rather than enquiries on a large scale like the census, would not cost so much. There would be a considerable reduction. Your forms could be much smaller. Could you tell us in the course of a day or two the approximate cost of such an enquiry ?—I will do my best.

113. Supposing you are given the job of preparing an electoral roll of all adults, it can be done on the same lines as the census ?—Yes. It depends on what information you want on the electoral roll. If only names are to be put on the roll, that can be done.

114. *Mr. Bakhale :* Your census reports contain statements as to figures of population on the age basis. Are they accurate ?—For the last census most inaccurate.

115. Do you think these age limits which are contained in the last census are fairly accurate ?—They are most inaccurate.

116. And the census before ?—They are equally inaccurate. We hope to give more accurate returns this census.

117. Will it be difficult to get the census on the age basis of the adult population of this country ?—I don't think so. We could give a rough approximation for ordinary purposes.

118. *Major Milner :* Are there many women engaged in agriculture as wage-earners ?—Nearly all the women are engaged in agriculture but they do not actually draw the money themselves as a rule; they usually help their families.

119. What kind of official or person is competent to conduct these census operations ?—We try to get non-official help. Our best help comes from schoolmasters; in some provinces revenue officials; and in some provinces we fall back on the police.

120. Do you find the non-official reasonably competent to record what you want ?—Yes.

121. *Sir Sunder Singh Majithia :* For how long are these records kept ?—We destroy these as soon as possible, the reason being that any information given is confidential.

122. The reason why I put this question is that the question has been raised whether these lists could not be used for electoral purposes ?—There would have to be a special Act passed for that.

The Chairman : You will not destroy them before the 20th of April ?—I hope they are being destroyed now. If you wish to keep them it can be done by executive action.

Major Milner : May it be put on record that Dr. Hutton be asked not to destroy the records.

The Chairman : I am quite willing to make a representation to the authorities if anybody will give me a valid reason.

Major Milner : You might use it if you want to make a special investigation regarding a special area ; find out the actual wages.

123. *The Hon'ble Mary Pickford :* It seems to me that that is the very reason for which they are required to be destroyed and why we should not ask for them.

124. *The Chairman :* Who is the executive authority ?—The Home department.

125. *Major Milner :* Have you any other record apart from the census papers of groups of 50 or thereabouts in which the country is divided ?—Yes, we have them geographically divided.

126. *The Chairman :* You often find that legislation by the most benevolent minded people applied according to Western law or Indian law to primitive villages does very serious injustice to those primitive people because the legislators or Government do not understand the local conditions. I had an instance of that in Africa. Can you give us a short memorandum of your experience of anything like that ?— I can quote an instance now. Assam wished to take over a certain strip of hills for exploitation as Tea gardens and make a reserve forest there. They bought the hills from the Chief but when they started to occupy they found a great deal of opposition. I was sent with a column to enquire because there was danger of armed trouble and we found that the area taken over included a range of hills which were the sole means of cultivation for one of the villages whose Chief had sold the rights hoping that he would get out of any fulfilment of the bond. Ultimately the village that owned the land was given the right of cultivating,—a temporary right. That was forgotten and a new Deputy Commissioner a little while later started parcelling it up for tea and it only happened that one of the original officers was one of these who went later and he held it up. Had he gone a little while later there would have been all sorts of claims to that land and it would have landed Government in several civil suits.

Memorandum submitted by Mr. N. M. JOSHI, M.L.A.

1. ADULT SUFFRAGE.

For the proper protection of the interests of the working classes in the Legislatures it is necessary that every adult person should have a vote. I am, therefore, against any qualification based on the possession of property or literacy. Possession of property does not make a man better fitted to exercise his vote and literacy is not insisted upon as a qualification for those who possess property. The qualification based upon monthly rent paid for residence is also objectionable from the point of view of workers in organised industries as large number of them share one

room and only one of them will be enfranchised. For instance, in Bombay city on an average five persons occupy one room. The qualification based upon a man's annual earning if it is fixed at a low figure is less open to objection as a necessary qualification for the possession of vote. The difficulty of unwieldy constituencies can be mitigated to some extent by making the size of the Legislatures larger than what is proposed by the Federal Structure Committee, but it never can be got rid of and therefore has to be tolerated and faced as inevitable. The difficulty of lack of polling officers is not wholly real. According to the census figures there are about forty lakhs of people engaged in Public Administration and Liberal Arts while the number of villages in India is about five lakhs. The number of people engaged in Public Administration alone is ten lakhs (Public Force) and ten lakhs (Public Administration). Besides I see no objection to some private educated people engaged in other occupations being employed as Polling Officers. If it is at all necessary to restrict the number of voters out of practical considerations that should be done by keeping the qualifying age higher than usual so that the restriction will apply equally to all economic classes. If people between the ages of thirty and sixty are enfranchised the proportion of the enfranchised people will be about thirty per cent. of the total population. The total number of voters for British India will be about 75 millions.

2. Direct and Indirect System.

I prefer direct system of election to any system of indirect election, but if the indirect or group system is to be adopted it must be made equally applicable to all. I cannot approve of a plan in which some people will be enfranchised directly and others indirectly or through group system. I would also prefer, if it is possible, to group together persons of the same economic standing and insist that no one outside that group should stand as a candidate for being the representative or delegate of the group. Moreover, the election of the representatives or the delegates should be by a secret ballot.

3. Trade Union Constituencies.

Even if adult suffrage is adopted the working classes have very little chance of securing adequate representation for some time to come on account of lack of funds to fight the elections and want of sufficient organisation. If adult suffrage is not adopted there is absolutely no chance, either immediately or at a remote date, of the working classes securing representation through general constituencies. Unless they have overwhelmingly large majority in a constituency they have no chance of winning elections on account of the two deficiencies mentioned above. I, therefore, suggest that till experience proves that the working classes actually secure adequate representation through general constituencies they should be given representation through registered Trade Unions as is recommended by the Whitley Commission. This special representation will be necessary for a temporary period even if adult suffrage is adopted. The total representation for the working classes should be divided according to the Industries, the Unions in each Industry being grouped together. The share of each Industry for representation should be based upon the number of workers in that Industry. For representation in the Central Legislature either the Unions in each Industry or each group of allied Industries throughout the country should be grouped together, or, in the alternative, Trade Unions in one province should be grouped together. I personally prefer the former plan. If members for the Upper Chamber are elected through the Provincial Legislatures Labour representatives for the Upper Chamber should be elected by the group of Labour representatives in the Provincial Legislatures elected through special constituencies. If election of the members for the Upper Chamber is based upon direct election then Labour Representation for that Chamber must be secured through Trade Unions. If the Upper Chamber is not to be the represen-

Memorandum by Mr. N. M. Joshi. [*Continued.*

tative of Wealth but of experience and distinguished service the qualification for voters and candidates should be so fixed that not only the wealthy but even those who are not blessed with riches but may possess and might have rendered distinguished service to the community may become eligible to be voters as well as candidates in adequate numbers.

4. Election through Trade Union constituencies should preferably be by direct method, each member of the Union casting his vote directly.

5. In the present legislatures Labour interest is very inadequately represented. Out of the total number of 1,108 members of the Central and Provincial Legislatures there are only eleven members who are expected to represent labour interests. None of them is elected but all are nominated. The seat in the Legislative Assembly is not even provided for by Rules and Labour is not represented at all in the Council of State. While labour interests are so inadequately represented the employing interests are comparatively very strongly represented. Out of the total number of 1,108 seats the employers as represented by Europeans, Landholders and Industrial and Commercial bodies have 110 seats through special constituencies, besides having a large number of seats secured through general constituencies by persons belonging to these classes.

6. The number of representatives to be allotted for the protection of labour interests should be based upon the total number of wage earners in the country and in the province for the Central and Provincial Legislatures respectively. According to the census figures for 1921 I estimate the total number of wage earners in the country as follows:—

Occupation.	Millions.
1. Agriculture	25
2. Industry (including mining)	12
3. Transport	1
4. Trade	4
5. Domestic Service	2·5
TOTAL	44·5

The India Office in a memorandum submitted to the League of Nations, while India's position as one of the eight countries of chief industrial importance was being discussed, has estimated the number at 50 millions. Besides this number of the wage earners the interests of the low paid employees in public administration can only be represented by labour representatives. The total population supported by the wage earning classes will be about eight crores. It is not right to base the number of representatives to be fixed for the protection of labour interests merely on the total number of Trade Union membership nor merely on the total number of workers in organised industries. The object of creating Trade Union constituencies is to secure representation to the wage earning class which cannot secure the representation of their interests through general constituencies. All wage earners have common interests as they are affected generally by legislatures and so they are expected to have common principles and policies on questions that generally come before the legislatures such as taxation. The fact that Federal Finance is almost wholly to consist of indirect taxation clearly proves the need of a strong separate representation of the relatively poor wage earning community by whom the burden of indirect taxation is more heavily felt. At present there are no Unions amongst the agricultural workers and in the absence of such organisations their interests will be on the whole better represented by those elected through Trade Union constituencies in other industries than by the representatives elected either by landholders or tenants. The principles and policies which will be in the interest of

agricultural wage earners will have more in common with those of the workers in other industries than those of landholders and tenants.

7. DISQUALIFICATION OF CANDIDATES.

If at all it is decided that labour should be represented by separate constituencies of industrial labour in cities and in some industrial towns those people who are employers and those who are placed in a position of authority over labour should be disqualified from standing as candidates for those special constituencies.

8. ASSAM AND NORTH-WEST FRONTIER PROVINCES.

In Assam where at present there are no Trade Unions at all separate labour constituencies of workers on plantations should be formed and as plantation labour is generally isolated from the general community there can be no objection to the formation of such separate constituencies of plantation labour only. The election should be by direct or indirect (group) system. But in any group system the candidates for being representatives or delegates of groups should not be any persons who have in any way any authority over ordinary workers. Similar disqualification must also be placed upon candidates for election to the legislature. Similar provision will have to be made in North-West Frontier Province.

Mr. N. M. JOSHI, M.L.A.

1. *The Chairman :* There are just one or two points in your memorandum which I want to elicit. You are of course in favour of the principle, at any rate, of adult suffrage ?—I am.

2. Supposing for any reason that proves to be impracticable as an immediate step, are you in favour of making wages as the basis ? You point out some of the difficulties of making wages, monthly wages, as the basis of franchise—workers keeping moving and so on. Do you think that wages could be taken anyhow in industrial towns as the basis of franchise ?—I think so. I would like the wages to be kept at a minimum figure in order that the working classes may be brought in.

3. You think it is practicable. You don't think there will be any difficulties on the ground of impracticability so far as the towns are concerned ?—No.

4. Again on the assumption that adult franchise is impracticable you would suggest introducing the age qualification—men between 30 and 60 should have the vote ?—In order that the constituencies may be less unwieldy.

5. Don't you think that the people between 20 and 30 are in many ways more anxious than the older gentlemen of 30 and upwards ?—I am not suggesting that if adult suffrage is practicable. If some people are to be excluded, if some people who are equally anxious are to be excluded, then I suggest that this is a better method.

6. You would rather exclude people from 20 to 30 instead of excluding any economic class ?—Yes.

7. You would exclude also people over 60 ?—I would for that reason.

* * * * * *

8. I see that you prefer the direct to the indirect method ?—I do.

9. Have you thought at all of what is called the hybrid system, namely, using the group as a supplement, enfranchising the 10 per cent. direct and adopting the Round Table Conference proposal of selecting a Mukhiya for 20 for the rest ?—I

do not approve of that hybrid plan at all, because it means reducing the value of vote of some classes of people and I am not prepared to accept this differentiation in the value of the citizenship of different classes of people.

10. Again on the assumption that adult suffrage is not possible at the moment the group system gives some representation to the people who have not got the direct vote, whereas if you do not have the group system they will remain unrepresented ?—What I would suggest to you is, introduce the group system for all people.

11. You would be prepared, if necessary, to take away the vote from those who have it directly provided you have the group system universally ?—Because I consider that is a lesser evil, for this reason that the people who are vocal and who will lose the vote will agitate to regain their vote with the result that all people will get the vote at some future date. If the poor people are deprived of their vote or are given at a smaller value there is very little chance of their regaining the full vote.

12. Turning to the question of trade unions as constituencies, I think you were a member of the Whitley Commission. The Whitley Commission recommended that the trade unions should be constituencies for electing a certain number of labour representatives to the Councils. They expressed clearly some doubt as to whether trade unions at this moment were fully representative and fully organised and they said that a Tribunal should be set up to test that question ?—They recommended a Tribunal to fix membership as between different unions. When the question of distributing the total representation for labour is to be considered then a Tribunal will be necessary to fix the membership of each union. They did not suggest a Tribunal to find out whether trade unions should be given representation or not. The Tribunal was suggested to fix the membership of each union.

13. I thought the Tribunal had two functions, you will correct me if I am wrong, one of which was to determine whether a trade union was sufficiently representative and could be registered for the purpose of electing a representative ?—No. The Tribunal was only intended for the purpose of seeing that a union may not declare their membership to be larger than what really is. There must be some machinery to fix the membership of each union.

14. Would it be on the basis of paying membership ?—I think so. That should be the basis.

15. You say " for representation in the Central Legislature either the Unions in each Industry or each group of allied industries throughout the country should be grouped together." Would you explain what you mean by that ?—What I mean is this. In the case of a big industry like the textile industry, it may be possible to give one, two or three representatives, but there may be smaller industries which may not be entitled to one seat. In their case it is better to group together unions catering for allied industries. Railways may have one or two representatives, textiles may have one or two representatives, steel and mining may have separate representatives; but in the case of small industries like match-making and such others, it will be necessary to group them together in order that they should have representation.

16. Would you entrust that duty to the Tribunal suggested ? Let us assume that certain seats are set aside, would you give the Tribunal recommended by the Whitley Commission the duty of distributing those seats among different unions ?—If that could not be done before that, I would certainly employ that Tribunal.

17. What I mean is this—I speak subject to correction in the face of a person so much informed as yourself. The impression that I have formed after seeing certain trade union witnesses is that some industries are well unionised and others are not. For instance, the railways are well unionised and the seamen are well unionised. The textile industries and certain mining industries on the other hand are only partly unionised. There are about 350,000 workers in jute mills in Bengal and

about the same number in Bombay in cotton. They are two very large and important industries. The unions there I think are very weak. Supposing there were labour seats in the legislature, how would you propose to distribute those labour seats between Railways and Seamen on the one side and the Textile Industries on the other seeing the present state of unionisation of each respectively ?—I therefore suggest in my note that division of representation should not be based upon the membership of the trade unions but should be based on the workers in the industry.

18. On the number of workers ?—Because the present state of trade unionism is not a permanent state. In the first place the present political condition has largely affected the trade union movement and the textile trade was much better organised only till last year. So, the present condition of textile trade unionism is not really a permanent condition. I would therefore divide the representation according to the importance of the industry instead of dividing it on the basis of the membership of these trade unions.

19. Let us take the two textile industries. There are about 350,000 workers in the jute industry and about the same number in the cotton industry. Would you say that the four textile unions would have the right to return a labour member provided they have a fixed percentage of textile membership because the membership to-day is extraordinarily small ?—As a matter of fact, it is not as small as perhaps you think. In Bombay to-day the unions are not as strong as they were once, but in Madras there are good unions of the textile industry.

20. There are hardly any unions in Bengal ?—In Ahmedabad there are good unions. On the whole, the textile industry has got very good unions which could be given representation.

21. I am asking rather a different question. Would you lay down as a condition—I venture to suggest it is worth consideration from the point of view of labour itself—that taking the total labour population to be 350,000 in the textile industry before the unions could get representation they must get 50,000 members on their rolls. There should be some bigger membership if they are to claim reasonably the right of representing the interests of labour as a function. There has got to be some limit, some figure before they become qualified to send representatives ?—I quite see the advantage of laying down such a limit because it is a sort of encouragement for organization, but at the same time I feel that there is equally good encouragement in merely giving them representation. If there is representation given, set apart for them, it is bound to lead to better organization within a very short time.

22. I quite agree. But I am thinking whether it is not important that the labour representative should be able to prove that he does represent some considerable number of workers in a big industry like the textile industry ?—I would not do that in the case of an important industry like the textile because it must have representation from the very beginning. The textile industry is an industry where really the chief labour problems are fought. If you take hours of work and things like that you will see that the main problem is there. It is the most competitive industry in the world and funds are saved in that industry. I would not therefore deprive the textile industry of its representation on the ground that the membership of the trade union is limited.

23. I will put my point in a concrete form. Taking your proposal that the Bengal textile industry should be represented as such would you not lay down that the union of that industry should comprise 10 per cent., 20 per cent. or whatever you like of the workers before it can get representation ? I want to know your view. Would you have any strong objection to that ? Would you not think it desirable to lay down some percentage ?—I would not do that for this reason. I fear if you lay down such a qualification for a union being entitled to representation, it may lead to the creation of false membership. If you leave it to natural progress,

it is bound to take place by the very fact that they have representation. I will be no encouragement for organization.

24. The proposed Tribunal will find out the real membership ?—It will not be very easy to find out whether the membership is artificial or natural.

25. The only other point I would ask you is about the disqualification of candidates. In paragraph 7 of your statement you say, " if at all it is decided that labour should be represented by separate constituencies of industrial labour in cities and in some industrial towns those people who are employers and those who are placed in a position of authority over labour should be disqualified from standing as candidates for those special constituencies." How could you define that ' position of authority.' The only people can be actual workers or members or officers of trade unions ?—If it is a question of trade union constituency then naturally the candidates will be those people who are members or officers of trade unions, but in the case of constituencies which are not definitely trade union constituencies, I am suggesting that in the case of candidates there may be a definite disqualification for those people who are persons in authority, namely, the Directors, Managers and all people who have some authority like the jobbers, overseers and so on.

26. Do you mean to say that you would make that disqualification in a general constituency or only for the trade union constituency ?—If the general constituency is open for everybody I won't do that, but if that constituency is intended to give representation for labour then I would do it.

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27. *Diwan Bahadur Ramaswami Mudaliyar:* I understand that you are in favour of some special representation for labour whether we have adult franchise or not ?—Yes.

28. Why do you want special representation even on the basis of adult franchise? —Because of the difficulties that I have stated in my note in the way of labour getting representation in spite of the grant of adult suffrage. The first is the cost of running an election and the second one is that of organization. It will take some time before these deficiencies are removed.

29. But don't you think that the adult labour vote will be sufficiently large to influence the course of election whether an actual labourer is returned or not ? —I don't think they will have an adequate effect. What we want is voice for labour in the legislatures and not merely an influence in the elections. If a man who does not believe in labour representation is elected he is not of much use.

30. In the next election he will be thrown out ?—It is quite possible if labour vote is very strong.

31. On the basis of adult franchise the influence of labour is bound to be strong taking labour in the extensive sense in which you have used it here in your memorandum ?—I am doubtful whether it can make itself felt. If adult suffrage is granted, for a temporary period I ask for special representation. I make it conditional. If experience shows that labour does secure representation through the general constituency then special representation might be taken away.

32. Why I was pressing this question was this. Whether adult suffrage was practicable throughout the country or not, it is possible that adult suffrage may be practicable in urban areas as my friend has suggested and if labour representation could be secured merely by having adult suffrage in urban areas that would be a very great reason for withholding special representation for labour. But if you still require representation for labour as such in spite of adult suffrage then one at least of the chances of adult suffrage is gone.—I am not thinking of the system of adult suffrage. What I am trying to do is to secure representation for labour. I myself feel to-day that in spite of the grant of adult suffrage, for some time to come at least, labour will not secure adequate representation.

33. May I therefore take it that special representation of labour is more important in your view than adult franchise even ?—I would not put it that way, because I feel that if we make a beginning with adult franchise to-day, after 20 years, special representation may be removed. If we do not make a beginning to-day, that period will again be postponed.

34. You suggest that election through trade union constituencies should be preferred to the direct method under which each member of the unit would cast his vote directly ? I understand that to mean this : if six trade unions of a particular industry are together given a single representative, then the members of each of those trade unions will individually vote in that constituency and whoever is returned will represent labour on behalf of those six constituencies ?—That is my meaning.

35. You do not agree with the proposal that each of those trade unions should vote by delegates ?—I do not like it. That is why I prefer the direct method. But if the constituency is a trade union constituency, I have not got strong objection to delegates being in the first place elected and then the delegates electing candidates.

36. But you prefer the direct method ?—Yes.

37. Having that fact in view, would you allow all labourers employed in an industry on the list of employees of any factory under the definition of the Factory Act, to form a constituency and directly to vote for the representation of labour ?—Well, I would not be opposed to that. What we desire is to have manageable electorates.

38. No. I understood that your main objection to large electorates was more territorial than numerical. That is to say, an electorate extending over several taluks is a great inconvenience. But if you have an organization of labour in a particular place as an electorate, the size of the electorate will be numerically the same and, instead of getting merely members of trade unions, you will get the members employed in that industry as direct voters for the constituency ? From that point of view, there would be no objection, I suppose ?—There would be no objection, at all, in theory. It would be a much better election.

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39. *Major Milner :* One or two objections have been put forward to representation through trade unions. In the opinion of some, trade unions nowadays are not representative in that they only admit a small proportion of those engaged in a particular industry in the trade unions. Would you say that, whatever their number be, so long as it is substantive, they are representative of labour as a function ?—Well, I do not see much force in this argument of trade unions not being representative for this reason. What we want is a real representative of labour. If you take a trade union with a fairly large membership, the views expressed by any representative of those trade unions, will be the views of the others. I have not yet seen much difference in the general principles and policies of the labourers in different industries. So, there is absolutely no objection in giving representation to trade unions. Although they may not represent the whole body of workers, they do represent the principles and policies of the whole body.

40. Would you agree that it is quite possible for one or two unions which arel strong to still the voice of labour engaged in industries which do not have unions of their own ?—I feel that they will represent the labourers not in unions much better than other people, although I would prefer a man belonging to them.

41. What, in your opinion, would be the effect of constituting trade unions for the representation of labour ?—I think unions would be put on a sounder basis and there will be encouragement to organisation as well.

42. Would you agree that the vote should only be given to registered unions ?—Well, I fear on the whole it would be better to do that.

43. And that the weight to be given to any particular trade union should be adjudicated upon by this proposed tribunal ?—Yes.

44. What has been the general attitude of employers in the past towards trade unions ? Have they encouraged or discouraged them on the whole ?—I do not expect employers to encourage trade unionism at all. I would not blame them also if they do not encourage. But I do not think I have ever found employers who had encouraged real trade unions.

45. You have not found any employer who has encouraged trade unionism ?—Not yet.

46. There has been a suggestion made that, apart altogether from any special representation of labour,—that is one of the direct qualifications which might conceivably be introduced—if adult franchise is not possible, franchise might be given to wage-earners, more particularly as it has been suggested, I think, in connection with agricultural landless labourers and so on. The suggestion as I understand it is that for administrative reasons, in order that the administration should be relieved of going round from house to house to ascertain particulars of all those who are entitled to be included as wage-earners, wage-earners should be asked to fill up and submit a form in the following manner: "I beg to apply for the vote. I have been employed for the last six months on a wage exceeding Rs. 5 a month. (Signature or thumb impression.)" It will then be for the official concerned to do one of two things, either instruct a subordinate official in the neighbourhood to interview the employer in question and, if the matter is in order, then put the concerned person on the roll. Alternatively, it has been suggested that the official should merely send a postal intimation to the employer and ask to say in writing whether the facts mentioned in the application of the labourer-voter are correct. If he replies in the affirmative, similarly, the applicant will be put on the roll. It has also been suggested that supposing no reply at all has been received that the man concerned has made a correct statement, then also his name should be placed on the roll. What would you say in regard to this as also in regard to prescribing a qualification in order to bring in a class who, apart from the group system, can be brought into the list by any other means ?—I would not place this obligation upon the voter himself, because the difficulty of collecting information will exist in many other qualifications also. Why should we impose a special obligation upon wage-earners only ? What I would do is this : I would, as in the case of people holding other qualifications, allow the Government staff to put the names of people according to their information. Then everyone will have the right to get his name put on the register. I would not place the primary obligation upon the voter himself in the case of wage-earners.

47. Of course in the ordinary case of land revenue or rent qualification, the argument presumably is that the officials already have the information and therefore there is not much work ?—But there is the qualification of monthly rental for residence which is now allowed both in the urban and rural areas. There the official has to go from room to room and enquire what the monthly rent paid is. In many cases there are no rent receipts given. Still the names of rent-payers are entered. Similarly, a man may go from house to house and room to room and enquire what a man's annual income is. It is left to the third party to take objection to the name being entered on the register or for the man concerned to insist upon his name being entered on the register if he is proposed to be left out. I would not therefore throw the primary responsibility on the voter himself.

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48. *Mr. Tambe :* Supposing a certain number of seats is reserved for labour, would you distribute them according to industries or territorially ?—My preference is for distributing them according to industries.

49. Would not that constitute large constituencies ?—Well, that would depend upon the size of the industry. For instance, in Bombay, if you give only one seat to the textile industry, it will be a large constituency. In a province like Bombay, what we are thinking of is that there will be several seats for the textile industry and that it would be divided and sub-divided.

50. For the other industries, the constituency will be the whole province ?—If the representation is very small, one province will be a constituency ; but if the representation is large enough, it will be sub-divided.

51. You would not prefer territorial constituencies ?—I would not strongly object to territorial constituencies, but I would prefer industrial constituencies.

52. Now I would refer you to paragraph 2 of your note. 'I would prefer to group together persons of the same standing and interest and that no outsider should stand for the group'.—My meaning is this : if you take a village with a thousand population and make groups you should group together people whose income is more than Rs. 1,000 a year firstly. The next group should consist of persons having an income of Rs. 500 a year and so on.

53. And those delegates who would be elected also would form separate groups for electing candidates to the legislature ?—They will elect their representatives or delegates and then they will vote.

54. They vote separately in separate groups ?—It is not then necessary.

55. Then they can come together ?—I am trying to secure for the poor people their own representatives in the ultimate elections by this means. If this method is not adopted, the wealthier people in the villages will swamp the list of secondary voters.

56. *Mr. Miller :* What do you think is the main cause of the trade unions not representing all classes of labour ?—The main cause, in the first place, is the ignorance of the people. The second cause is that there are very few people who take interest to organise them. As these people are ignorant and poor, it is necessary that there should be a large class of people who will take interest in their welfare and organise them.

57. You would not say that the employers have not encouraged trade unions or that the Government have discouraged them ?—Well, I have stated my view that I do not expect employers to encourage trade unions.

58. Some people have stated that the employers have discouraged them, speaking generally ?—If you ask me to answer 'Yes' or 'No,' I say that they have discouraged. But I will add that there are some employers who do not discourage. If, however, you ask me to give a categorical reply, I will say, on the whole that they do discourage.

59. Do you think the Government does it too ?—Well, it is the same thing. If you ask me to say, on the whole, whether the Government encourage or discourage trade unions, I will say that they have discouraged. But it is not true of every Government official. It is not true on all occasions.

60. How will you say that they discouraged ? What steps did they take to discourage ?—In the first place, they do not recognise unions unless recognition is forced upon them.

61. How is it forced on them ?—It is forced on them when a strike takes place. Before a strike they will not recognise. I have experienced that several times myself. I once went to the Agent of the Great Indian Peninsula Railway on behalf of a union.

62. Was it a registered union ?—There was no Act of Registration at that time. He told me that he would be very glad to meet me as a Member of the Legislative Assembly, but he would not meet me as the President of the Union. Yet, after some years, that very Agent recognised the union which was avowedly run by a Communist.

63. Had it been registered at that time ?—I do not think it was registered. Even if it was registered in the meantime, that does not make any difference. When I went to him there was no Trade Union Registration Act.

64. My experience is, generally speaking, they deal with registered unions and not unregistered unions ?—It is only during the last two years that unions are being registered. Till then the question of registration did not arise at all.

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65. In your memorandum, you are speaking of separate constituencies for the representation of labour ?—Yes.

66. Have you any idea of any alternative method ?—I myself did not make any proposal of that nature. I found some people making proposals for separate constituencies as a method of election of labour in towns where there is a large proportion of labour population.

67. Do you think in towns it would be possible to have organised labour representating labour on a wage basis, say Rs. 15 or Rs. 20 ?—I have stated that for some years to come, in these big constituencies, labour will not get representation in spite of the fact that the workers may have even a majority of votes.

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68. As regards getting information about wages, there would not be any difficulty as it can be got from employers ?—I do not think there will be any difficulty. In the towns there will be no difficulty because employers will give the information.

69. In places like Assam you think that plantation labour should have a separate constituency. How will you form that ?—In Assam there is really no difficulty in forming separate constituencies for plantation labour; because these plantations are not generally mixed with towns. We can run an election in a separate constituency for labour.

70. Should they be represented by Sirdars ?—No. I am going to put restriction on any person in authority being a candidate. I would prefer a person from outside or even the workers.

71. Would it be possible for a worker to be elected ? Would his employer object to it ?—If a worker himself is elected, the employer will not object. No outsider can properly represent plantation labour. I would not allow even the clerical staff to stand on behalf of the workers, because their interests differ. The clerical staff as well as people in authority, to some extent, exploit actual workers.

72. Then, it comes to this, that it must be an outsider ?—I would prefer an outsider.

73. Have you any experience of plantation labour ?—Well, I have visited the plantations for about a fortnight. But then I had to study that question as a member of the Royal Commission also.

74. When you visited the plantations, did you visit them in the interests of labour ?—Yes.

75. Was there any objection on the part of the owners to your visit ?—Not to my visit. I was a Member of the Legislative Assembly, and I knew some planters. They had heard of me and I had friends everywhere.

76. Supposing you did not have that connection, would there have been any resistance to your visiting the plantations ?—Well, if they suspect that the man is going there to organise labour, they would resist.

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77. *The Hon'ble Mary Pickford :* I find that there are a large number of women employed in industries in India, particularly in the textile industry, and the cotton industry. And yet we find in Bombay hardly any of them in a registered union; in Cawnpore not at all. And generally speaking, women hardly join the unions at all. That being the case, do you not think that in places where a particular

industry is concentrated, like Bombay, Ahmedabad, Cawnpore etc., if you have a special labour constituency consisting only of workers regularly employed in a factory registered under the Factories Act, you can get a fairer representation not only of the women but of a very large number of men who are not members of trade unions ?—I do not think that we can get better representation by that method. It is quite true that if you have a constituency of that kind, you give the vote to almost every one, but as I stated in my note, the constituencies will be very big and instead of getting the right kind of man; you will get a man who has the largest amount of money to fight that election.

78. I am not talking of general constituencies. Take for instance Cawnpore. If you make a special labour constituency composed of all the adult men and women who are regularly employed in the industries in Cawnpore earning a certain wage, that would not be a very extensive constituency for the candidate to fight an election, because the candidate would only have to go to the workers in those factories; and it is the kind of constituency for which anybody can stand ?—The difficulty will be that you may not be able to keep out the other candidates who have money. You will not be able to devise a disqualification which could be applied to those who are undesirables, and which will only include those who are desirable.

79. He will have to be a worker in the industry or should have the trade union qualification. But don't you think it will be better representation if you give the vote to workers generally than to the small minority who belong to trade unions ?—I have already stated that I have no objection to it in principle. But as a practical measure, I think on the whole we shall get better representation through trade unions, although it will be representation given to a restricted number.

80. Take again the instance of Cawnpore. There is only one union, and it has a membership of 600 or 700 with no women at all, although the number of workers in Cawnpore is something like 35,000. Do you think that to allow those 600 or 700 only to vote would be fairer to the other 34,000 and odd ?—I do not suggest that at all. Because Cawnpore is a special case. Taking Cawnpore as one town, if you have such a small union of 600 or 700 members, it does seem somewhat unreasonable to give representation to such a small union. But at the same time, if you give representation before the elections are held, the union will become a very large body. I have absolutely no doubt in my mind about that.

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81. *The Chairman:* The position is quite simple as I see it. Your view is that, even including industrial areas like Cawnpore where there is a very small union which covers the textile industry, it is better to be represented, if necessary, by a railway union than by any body else. That is your view; that is the broad contention you are urging, that representation by organised labour is better representation of labour than through a direct constituency of workers ?—There is no doubt in my mind about that.

82. *Mrs. Subbarayan:* Do you agree that there is an impression among the workers that they incur the displeasure of their employers if they join trade unions ?—There is an impression.

83. And that is why many people do not join ?—It is true.

84. Do you think that if representation is given to trade unions, the status of the unions will be raised and will instil confidence in the workers and labour will get better organised ?—Yes, I think so. That is the view of the Whitley Commission.

85. How is it that women have not joined trade unions ?—Women do join where they are working in industries having unions.

86. There are not many in Cawnpore. There is not a single woman in all the trade unions there ?—If you take the number of women that take part in public

life as a whole the number of women that join trade unions will be equal in proportion.

87. Taking interest in public life is different from workers joining a Labour union ?—If you have a general public meeting in Delhi, how many women do you find there ?—Not even five women in a thousand. Similarly if you have a meeting of workers, the same will be the case.

88. Do you think that men representatives of trade unions will represent the interests of women workers ?—I have absolutely no doubt on that point. I do not mind if out of ten seats, allotted to Labour, one seat is reserved for a woman worker.

89. But women must have an effective voice in the election too ?—I am not against the vote being given to them at all.

90. *Sir Muhammad Yakub :* Is it not a fact that some of these so-called labour unions are organised by education-mongers who want to exploit the labourers for their own purposes ?—I have yet to find any movement where there are no exploiters. In the labour movement there are a few people who exploit it, as there are other movements which are exploited by others.

91. Don't you think that if you give franchise to labour unions only, the real workers will not have any chance of being elected, while the seat will go to the education-monger who has nothing to do with labour ?—If the real worker wants to come in, nobody will come in his way. But if the real worker has not got the education to speak on his rights, it is much better that one who can speak goes there.

92. Do you think that in that way the factory owner can also come as a representative of the worker ?—But a factory owner cannot become a member of a tradeunion.

93. Why cannot he become a member of a trade union ?—He won't attempt that. If he becomes a member, he will not be elected, I am quite sure of that.

94. *Mr. Chintamani :* Can there not be a factory owners' trade union ?—It exists.

95. *Mr. Butler :* You said to the Chairman that you prefer trade union representation to any other ?—Yes.

96. In your memorandum you say that you would adopt this method only until experience proves that the working classes actually secure adequate representation through general constituencies, and you go on to say that special representation would be necessary for a temporary period. If it is a question of preference, I am not quite sure why you qualify it like this in this memorandum. It is somewhat contradictory. You said to the Chairman that you prefer this (trade union) method to the other. And when I read the memorandum, I find that you only adopt this representation by trade unions as a temporary measure until the workers get representation in the general constituency. I find that you changed your position, and that is the only thing that is troubling me ?—I think, then, there is some misunderstanding. My point is this. I believe in adult suffrage ; I believe that ultimately by adult suffrage workers will get their due representation. But during a temporary period of time till the workers are organised and their organisations have got sufficient funds to fight elections, there must be some special method of representation. Therefore when I said that I prefer this method to any other method, I really did not mean this adult suffrage. I meant some other suggestions made for the representation of labour, such as nomination or giving them the vote by the group system. I did not mean adult suffrage at all.

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Memorandum submitted by the MUNICIPAL COMMITTEE, Delhi.

I.—PROVINCIAL LEGISLATURE.

1. Extension of the franchise.

Delhi Province has no Legislative Council. Its creation should be urged. If this proposal is found on careful examination to be undesirable or impracticable it should have direct representation, by election, on Federal Legislature and by making the alteration suggested, in (*d*) below in the existing franchise qualifications for the present Legislative Assembly, it is believed that about 10 per cent. of the population will be included in the electoral roll.

(*b*) There seems to be no reason to believe that such an electorate should not be capable of casting an intelligent vote.

(*c*) The number of persons thus enfranchised is estimated to be 60,000—a number practically equal to the number of voters on the electoral roll of the Delhi Municipal Committee. As the machinery for conducting Municipal elections has worked smoothly so the handling of 60,000 electors to whom the franchise is proposed to be given for Federal Legislature need not present much difficulty.

(*d*) To gain the desired object the existing franchise qualifications for the Assembly be lowered as follows:—

(*a*) Immovable property (1) of a value of not less than Rs. 5,000 instead of Rs. 15,000 (2) of an annual rental value of Rs. 120 instead of 336 and (3) tenant of such immovable property, or

(*b*) Owner of land assessed to land revenue of not less than Rs. 33 instead of Rs. 100, or

(*c*) Assignee of land revenue to not less than Rs. 33 instead of Rs. 100, or

(*d*) Tenant or lessee of Crown land of an annual rent of Rs. 33 instead of Rs. 100.

(*e*) An income-tax payer. The present limit is Rs. 5,000 or

(*f*) Matriculation or High School Standard Examination or the holder of an oriental degree of any University recognised by law.

This is a new qualification.

(*e*) The enlargement of the electoral roll still further is not favoured at present.

(*f-j*) All the members of the Sub-Committee are unanimous that election by group system is neither advisable nor practicable. It will be a lengthy process and would present several administrative difficulties.

2. Franchise Qualifications.

(*a*) There is no material before us to think that there is any marked disparity in the operation of the franchise qualifications in urban as compared with rural areas.

(*b*) There is a marked difference of opinion on this point between us and it is regrettable that we are unable to make any definite recommendation. The Muhammadan members on the Sub-Committee stand for separate electorates pure and simple for their community and from their point of view it is not essential that any special measures be devised to bring the voting strength of each community proportionate to its numbers. On the other hand the Hindu members favour joint electorates with or without reservation of seats and are prepared to lower voters' qualifications where and to the extent found necessary on examination to bring the voting strength of each community proportionate to its numbers. The Mohammadan members have no objection to this principle being adopted provided they are given a separate electorate.

(*c*) and (*d*). Please see (*d*).

(*e*) We would extend the existing Military Service Qualification to the Auxiliary and Territorial Forces also.

Memorandum by the MUNICIPAL COMMITTEE, Delhi. [*Concluded.*

3. WOMEN'S SUFFRAGE.

(*a*) There is a difference of opinion between us. The Mohammadan members are not willing to give any special facilities to women. They are of opinion that men and women should be placed on the same footing. On the other hand the other members would enfranchise the wives and widows of men entitled to vote under the property qualification also. It is agreed that the age limit for men as well as for women should be 21.

(*b*) Group system in any form is not favoured.

(*c*) There is no objection to the adoption as a temporary measure, for the legislature to co-opt women members to an extent not exceeding 5 per cent. by a system of proportional representation.

4. REPRESENTATION OF THE DEPRESSED CLASSES.

This question does not arise in the Delhi Province as the number of the members of depressed classes is not large. Moreover considering the number of seats to be allotted to us in the Federal Legislature there is no room for their separate representation.

5. REPRESENTATION OF LABOUR.

Labour in Delhi Province is not of sufficient importance to be given any special representation.

5-A. REPRESENTATION OF SPECIAL INTERESTS.

Delhi is an important trading centre and we feel that trade could be given a special representation in the Lower Chamber of the Federal Legislature. To disturb however any harmony of the composition of this Chamber agreed upon by the allocation of seats to the various Committees and interests we recommend that this particular seat be held by a Mohammadan, Hindu and a Christian member by rotation.

II.—THE FEDERAL LEGISLATURE.

6. ALLOCATION OF SEATS TO BRITISH INDIAN PROVINCES.

We strongly protest against the allocation of one seat to us in each of the Chambers. We have been placed on the same footing as Coorg which has a provincial legislature. We recommend that we should ask for at least 2 seats in the lower chamber in addition to the seat suggested for a representative for trade. In the upper chamber also we would like to have two seats reserved for us. One of the seats in each chamber to be reserved for a member of the minority communities.

(*b*) Provided there is separate electorate the Mohammadan members do not object to a single transferable vote.

Resolved that the recommendation of the sub-committee be accepted except the following :—

1. (*a*) be altered as follows :—

Delhi Province has no Legislative Council. Its creation should be urged on the lines of Coorg Province. Delhi Province has been promised direct representation, by election on Federal Legislature and by making the alteration suggested, in (*d*) below in the existing franchise qualifications for the present Legislative Assembly, it is believed that about 10 per cent. of the population will be included in the electoral roll.

5 (*a*). This seat to be held by a Mohammedan, Hindu, Sikh and a Christian member by rotation.

Rev. J. C. CHATTERJEE,
LALA SHRI RAM,
Rai Bahadur SOHAN LAL,
HAJI RASHID AHMAD,
Khan Sahib S. M. ABDULLAH,
} **representing the Delhi Municipal Committee.**

1. *The Chairman :* Is it your first proposal that the Delhi province should be constituted in the ordinary way a Governor's province ?—(*Rev. J. C. Chatterjee*) The opinion in the city is, which has been expressed on various occasions, that the province should be extended so as to form a Governor's Province. That question has been brought into the public press and I believe a memorandum was submitted to the Simon Commission but that has nothing to do with the Municipal Committee whom we are representing now. What we desire now is not so much that Delhi should be made into a Governor's province but that a representative form of Government should come in and that can only come in by having a legislative Council and responsible Ministers. There is an alternative by which we may ask for an advisory committee to advise the Government on matters of policy and so on.

2. Have you got a provincial council ?—Even if we had we would ask for two seats in the lower house and, if possible, another seat to represent trade, and we want two seats in the Upper House.

3. On what grounds do you ask for two seats in the Upper House ?—Our great difficulty is that we have got so many communities and interests that have got to be represented that the minorities, at present, are not able to find representation unless we are able to find more than one seat. We also feel that the Upper House in the new Constitution is going to be more important than the present. At present we do not worry about the Upper House but in the new Constitution it will have more power.

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4. *Mr. Butler :* How will these representatives be elected ?—By direct election in the Provinces.

5. That is, everybody will have a vote ?—What we have asked for is that about 10 per cent. of our population should have votes; at present only 3 per cent. of our people have votes.

6. *Sir Muhammad Yakub :* What is the point of view of the Moslem Association ?—(*Haji Rashid Ahmad*) *:* We have suggested an increase: they want a separate electorate and two seats in the Federal legislature. They do not want special representation so far as Delhi is concerned.

7. The Delhi Municipality wants separate representation of trade interests. What would constitute your electorate ?—The recognised trades; we have the Chamber of Commerce, the Mercantile Association, the Punjab Association, the Piece Goods Association.

8. What would be the total number of members of these Associations ?—About 6 or 7 hundred.

9. All the four combined ?—Yes.

10. *Mr. Tambe :* The view of the Delhi Muslim Association is that they are not in favour of adult franchise ?—(*Haji Rashid Ahmad*) *:* No.

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23rd March 1932.] Rev. J. C. CHATTERJEE, Lala SHRI RAM, Rai Bahadur SOHAN LAL, HAJI RASHID AHMAD & Khan Sahib S. M. ABDULLAH. [*Continued.*

11. You put the educational qualification very high ?—Yes.

12. May I understand that there is a very large number of Matriculates amongst the Muslims ?—Not as large as amongst the Hindus. Still we adhere to that. They are good enough to give votes. I have included Oriental degrees also. They should also be considered.

13. You won't go lower than the standard of Matriculation ?—No.

14. Do you think you will be able to enfranchise many people under this qualification ?—Yes.

15. What do you mean by the "present Muslim ratio" ?—In Delhi, it is about 48 per cent. I mean to say that should not be hampered in any way.

16. The representatives of the Municipality, are you in favour of adult franchise ?—(*Rev. J. C. Chatterjee*) : We don't think it is practicable at the present time.

17. Have you not got a machinery for the elections ?—We have got a machinery for conducting the elections. At present the number of people who are on the voters' register for the Delhi Municipality comes to about 60,000 and what we have suggested for the present is practically equal to the same number.

18. Do you find any difficulty in polling that number ?—No. We are able to cope with that number. We have suggested that the number of voters for the Federal Assembly should also be raised to that number. We have at present got very much smaller than that.

19. You have Government machinery or municipal machinery ?—It is partly Government and partly municipal.

20. Have you employed at any time any machinery that is neither municipal nor Government ?—No.

21. Is there no such material available ?—We can't say. We never had any experience of it.

(*Lala Shri Ram*) : For the special constituencies for the Municipal Committee we have always employed non-Government and non-municipal machinery, but not for the general constituencies from the wards.

22. What is to be the electorate for the seat for commerce that you recommend ?—The electorate is to be the various recognised trade associations.

23. It is to be a joint electorate of all those firms ?—Yes.

24. The candidature is to be restricted to a Muhammadan, Sikh, Christian and so on ?—In rotation.

25. By Christians you mean all the Europeans and Anglo-Indians ?—The reason is that you have got the European Chamber of Commerce.

(*Haji Rashid Ahmad*) : These are the views of the majority of the Committee. The Muslims are not fully agreeable to that.

26. *Diwan Bahadur Ramaswami Mudaliyar :* You have recommended 10 per cent. of the population as an electorate for the Federal Lower House ?—Yes.

27. I want to make it perfectly clear to you that the suggestion of 10 per cent. in the questionnaire was with reference to the provincial Councils. In no other province has such a large percentage been suggested for the Federal Assembly. Of course, Delhi being a special constituency you can suggest what-

23rd March 1932.] Rev. J. C. CHATTERJEE, Lala SHRI RAM, Rai Bahadur SOHAN LAL, HAJI RASHID AHMAD & Khan Sahib S. M. ABDULLAH. [*Continued.*

ever franchise you like and 10 per cent. also may be workable. I want to know whether having that in view you would still stick to that recommendation ?—The reason is this. In the first place, the Assembly stands to us at the present time—we do not know what may happen in future—in the position of a provincial legislature. At any rate, it includes those functions. Secondly, we feel that in a city like Delhi which has behind it such great traditions and which has for years been imparting compulsory primary education to its people, 10 per cent. electorate is by no means high.

28. I only wanted to make it clear that that is for the provincial councils and not for the Federal Assembly ?—We were aware of that. We stand by that recommendation.

29. Supposing the province of Delhi was formed a part of the United Provinces, what representation would you ask for the province of Delhi in the U. P. Legislative Council ?—We have not considered it because we have no desire to become a part of a larger province.

30. Delhi was carved out quite recently from the Punjab ?—Yes.

31. Before that it formed part of U. P. and part of Punjab ?—Yes.

32. You are aware that in the Federal Structure Committee one representative each for the Lower House and the Upper House was suggested for the Delhi Province with its 600,000 population ?—Yes.

33. You have also to take into consideration not necessarily the number suggested for Delhi but the number suggested for Bengal or the U. P. or Madras with their population somewhere between 40 and 50 millions. Do you think it would be fair to propose that you should have 3 members for the lower and 2 for the Upper House relative to the number that has been allotted to the other provinces ?—So long as we have not got a provincial legislature of our own we are fully justified in claiming that we should have reasonable representation in the Federal Assembly. Bengal or any of those larger provinces will, under the new constitution, very largely be their own masters, but if we do not have a provincial council of our own, 2 members and possibly a seat reserved for trade is not too large. If there was a provincial legislature things may alter.

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34. *Mr. Bakhale :* May I know the number of industrial workers in the Delhi province ?—(*Lala Shri Ram*) : I think about 12,000.

35. Are there any industries where industrial labour is employed ?—There are flour mills, soap factories and so on.

36. In spite of that you state that labour is not of sufficient importance to be given any special representation ?—That is because we could not get so many seats as to enable us to give one to labour.

37. You have asked one seat for trade. Is that fair ?—Trade does not mean any individual industry. We have asked one seat for all of them combined. If we had asked one seat for industry and one for commerce and one for something else we would have asked one for labour also. In any case we are not opposed to it. We do not want any undue preference to any particular section.

(*Rev. J. C. Chatterjee*) : We only do not want to open our mouth too wide. If you can give us a seat for labour we shall be glad.

38. You state that this trade seat is to be held by a Muhammadan, Hindu and a Christian by rotation. Do you want it to be reserved under statute ?—The idea was that so far as the representation between Hindus and Muslims was concerned

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there was unanimity but later on the Municipality added other names. We want that by statute.

39. Can't the trade associations themselves do it by some sort of convention as we have done in the Bombay Municipal Corporation ?—This can be done.

40. Would you rather prefer to have a convention to a statutory provision of this character ?—Certainly.

41. *The Chairman :* I think it would be worth while if you considered this question of representation on two alternative bases, one a situation in which there is no Delhi Province legislature and all the provincial voters went into the Federal Assembly in which you ask for greater representation than you would be entitled to on the population basis in order to protect your interests, and second on the assumption that you had a provincial legislature of some kind. That is a question into which this Committee is not going. What representation would you ask in these two situations ?—(*Lala Shri Ram*) : The point is that Delhi is not going to be a self-supporting province. Unless we know what the subvention is going to be, it would be impossible not to ask for more seats than the population justifies.

42. Sind would be a subvention province. I don't think they would ask for further representation on this ground ?—If we get sufficient subvention for our province we need not ask for enhanced representation.

43. The Franchise Committee is not to consider whether there should be a provincial council for Delhi or not. I should like to know what your views would be about the representation that this province should get in the Federal Legislature on the assumption that such a Council exists ?—(*Haji Rashid Ahmad*) : We really are not prepared to give an answer. We should like to have the basis.

Memorandum submitted by Mrs. RUSTOMJI FARIDOONJI.

I am one of the signatories of the Memorandum issued by the three Women's Associations last August, and am one of the Vice-Presidents of the All-India Women's Conference.

I.—(*a*) Standing as I do for adult franchise, the Group system is the only thing which can solve the problem.

(*b*) Yes.

(*c*) Yes.

(*d*) Does not arise.

(*e*) The electoral roll should be framed on the basis of adult suffrage, and not on any special qualifications.

(*f*) I am for the group system, for at least the first two elections. This kind of indirect election is better than none, and will help to train voters for the future. I advocate mixed joint electorates : groups of 20 or more, choosing the voters who would vote for provincial councils. Government could easily arrange for these representative voters in each district according to its size and population. I am strongly opposed to separate constituencies for such voters. This system can be made applicable to towns also.

(*g*) No, there should be no distinction.

(*h*) Yes, as I feel it is the only way of giving fair and equal rights of citizenship to all.

Memorandum by Mrs. RUSTOMJI FARIDOONJI. [*Concluded.*

(*i*) The suitable size should be left with a minimum and maximum to suit different localities. The present authorities with local committees could easily arrange this.

(*j*) No, none.

2. FRANCHISE QUALIFICATIONS.

I am opposed to qualifications in any form; it only means privileges for some.

3. WOMEN'S SUFFRAGE.

(*a*) I stand for equality of status for women and full citizen's rights, and am therefore opposed to all expedients. I know the women will be at a disadvantage for one or two elections; but on a matter of principle, to secure for the women of India an equality of status, the women are willing to suffer. I am anxious for the right type of woman to take up political work in India.

(*b*) Certainly not; we have had communal wars, and we do not want to start a sex war. They must be joint groups of men and women and all communities.

(*c*) I am strongly opposed to co-option. I would rather have one woman elected than 5 co-opted, as I consider this method even worse than Government nomination. With this method of co-option there will be no direct responsibility.

4. REPRESENTATION OF DEPRESSED CLASSES.

I believe in the power of the vote and the conditions of these people as well as of labour can only be improved when members of legislatures have to appeal to them and are their elected representatives. Under the circumstances nothing but adult franchise can help to improve matters. We have got into a groove and vision is necessary to get out of it. I can see no insurmountable difficulties.

5-A. SPECIAL INTERESTS.

I am opposed to all special representations.

Mrs. RUSTOMJI FARIDOONJI, Representing the All-India Women's Conference.*

1. *The Chairman:* You represent the All India Women's Conference?—Yes.

2. We have received evidence from the representatives of the All-India Women's Conference in other places?—I saw it in the papers.

3. They generally take the same view. They stand for adult franchise, preferably universal adult franchise, and if that is not possible universal adult franchise by groups?—Yes.

4. Supposing for whatever reasons it does not prove practicable to adopt either of those expedients, do you have any third alternative to present?—No, not at present. It is a matter of principle. We feel that adult franchise even with groups is far better than having this class representation that we have so much at present in India.

5. Supposing for some reasons that does not come about, you are not prepared to consider any other alternative?—When the Government have put forward their point or come to a decision we will have to make the best of it because we do realise that we are in a minority.

6. At this moment you are not prepared to put forward any other scheme?—No.

* *See* memorandum of the Conference at page 86.

7. *The Hon'ble Mary Pickford :* In your memorandum under Women's Suffrage you say " I know the women will be at a disadvantage for one or two elections ; but on a matter of principle, to secure for the women of India an equality of status, the women are willing to suffer". Do you not think it would be easier for the women of India to secure equality of status if they have a strong voting power and some representation ?—Not the representation that is presented to us. At present what is the representation suggested ? It comes in the form of special nomination or co-option or we are given a vote for being wives of husbands. That does not give you the equality of status. We have seen the results of nomination and have read a report about co-option. They seem to me to be very, very poor methods which will not bring the right class of women. What we, who are standing for adult suffrage, want is to improve the condition of the poor people in India. There has been too much class representation.

8. What I was suggesting was that it would be easier for women to bring their influence to bear if they have some voting power and also some representation secured for them in the first one or two Councils. Perhaps you have not heard that there have been other suggestions put forward for securing for the women some representation in the Councils other than nomination and co-option. Have you heard of those suggestions ?—Yes, I have heard the suggestion that the wife of a man who has the vote should vote.

9. That is a different point. That is a question of franchise. I am now talking about representation. There are other methods besides nomination and co-option which have been put forward. Have you heard of those suggestions ?—I have not.

10. May I explain to you quite shortly two of them ? One is this. Since it is not very easy for women in the present conditions to contest seats, it is suggested that in special urban constituencies all the voters, both men and women, should have two votes, one in the general constituency and one for the women candidates. That is one suggestion. There is another that women should contest in any constituencies they like in the ordinary way but a certain number of seats say, 3 per cent. or 5 per cent., should be secured to women by taking those women candidates who have not secured enough votes to be elected but have got the largest number of votes as compared with other women candidates. The great advantage of that is that women will contest in the oridnary way and in future they may be returned by an absolute majority. Do you think that you or your Association would be prepared to consider those alternatives ? These are not open to the objection which they have very rightly raised against both nomination and co-option ?—I feel it will not be so easily workable. This is suggested in the memorandum issued in England.

11. These suggestions have only been put forward comparatively recently ?—For one thing, it is sure to cause a great deal of confusion when you have both men and women voting on two sheets of paper, one for men and one for women.

12. There will be separate papers ?—It will cause confusion when two papers are given to the people. As it is, you hear about people not knowing how to vote.

13. Of course, we have already in India many multiple member constituencies. It is not a new idea to allow two votes ?—I think the matter will have to be considered by our Committee.

14. *Mrs. Subbarayan :* Your demand is based on the assumption that there will be adult franchise and that no class or community or special interest will have separate representation ?—That is what we want.

15. You assume that in your memorandum ?—We hope that will come some day. I don't see why we should have franchise totally different from what is in vogue in other countries of the world.

16. Supposing it is not possible to refuse separate representation to those communities which have separate representation, special interests and minorities, do you think your Conference will reconsider the whole question ?—I don't know on what point the Conference could reconsider the whole question. You see as things are, and we see what they are, we have laid down the principle for what we feel the future of India ought to be. This representation would do more harm than good. That is our opinion.

17. Suppose separate electorates are allowed to the minorities, would the women agree to special constituencies ?—I hope not. We women have always stood aloof from the communal question.

18. But supposing it is done, don't you think it will be better for women to have some open constituencies which they can contest without taking into consideration the creed to which they belong ?—I don't think the Conference would ever accept communal constituencies for women. I don't think at this juncture our Conference will take that into consideration. When the Franchise Committee's Report comes out we will have to consider.

* * * * * *

19. You admit that if women are not on the legislatures their interests will suffer ?—Not the interests but we will suffer. If we have 5 or 6 seats secured for us, we feel those 5 seats may not bring in the right sort of women. That is why women will suffer. You may go up for election time after time but the right type of women may not be elected. The word 'suffer' stands for an individual person who stands for election.

20. *Sir Muhammad Yakub :* That is your considered opinion, that if women are not elected to the Council their interests will suffer ?—Their interests are bound to suffer as they have suffered all these years if no women are elected.

* * * * * *

21. Don't you think that in spite of the absence of a few women that might have been in the Assembly and the Councils the men have done a great deal to protect the interests of the women, have advanced the cause of female education and other welfare work ?—Not enough, I am sorry.

22. What is that which has not been done ?—Look at the way in which the Hindu Widows' Bill was thrown out the other day. Look at the opposition to the Sarda Bill. That is the one thing, after six years of fighting, we managed to get through.

23. You say that such measures are not passed by the Assembly ?—I do not say they are not passed. We have a good many friends in the Assembly. You remember the Sarda Bill agitation was going on for five years. It was when the Women's Conference took up the question and waited in deputation on His Excellency the Viceroy that we had a special committee appointed and it was on the report of this special committee that the Sarda Bill was based and passed.

24. This committee was appointed and your deputation went to the Viceroy only after the Bill was introduced in the Assembly and not before ?—No, excuse me. The first Bill that was brought forward by Sir Hari Singh Gour was rejected by the Assembly. Then our Conference took up the question and Mr. Sarda gave notice of a new Bill.

25. How long has the Congress been agitating for the political rights of the people of this country ?—What have I got to do with the Congress ? I am not a member of the Congress. I do not know anything about it.

26. Is it not a fact that the Congress has been trying to get political rights for the people of this country for about half a century and has not yet been successful ? Now, when was your Conference started ?—Our Conference was started in 1927.

* * * * * *

27. Do you think that if the Congress could not get what it wanted for the people of India within half a century of its agitation, your baby Conference of about six years will be able to get all that it wants ?—You see that things are not going at the pace they did 50 years ago. India is advancing very quickly. Look at the India of ten years ago and compare it with what she is to-day. We are going by leaps and bounds and women are coming in.

28. Even in a country like England, women got the franchise only a few years ago. How can you expect the women of India to be enfranchised when you have started the movement only five or six years ago ?—I do not think that is a material consideration at all. No doubt England struggled to get this right and other countries also struggled ; but that is no reason why we should also undergo the same ordeal. We feel that we have come in at a critical period and that we can go faster than the other countries. We are moving with the times.

29. If 5 per cent. of the seats are reserved for women in the Assembly and in the provincial councils general electorates, will your All-India Conference fight it or co-operate ?—As I said, till the Conference holds a regular session and decides the point, I cannot tell you,

30. *Dr. Ambedkar :* I suppose you want enfranchisement of women because women will be progressive elements in the country ?—Yes.

31. Are you quite certain that the majority of women in this country are progressive ?—Yes, I think so. From what I have seen of the women coming to the Conference within the last 5 years, I am surprised that there is this spirit among the women of India. I would never have believed it myself.

32. I want you to consider the women of India not merely from the point of view of the women who attend the Conferences, but the wider class of women the majority of whom are, I suggest to you, uneducated. They would be holding some sort of property. The class of women who would come in under the educational qualification would form only a very small number. The majority of the women electorate would be women who would be uneducated. I want you to look at the problem from that point of view. Do you think, from your experience, that an electorate in which educated women will form a very small minority would be an element of progress in society ?—I think so. But I do not agree with you that the uneducated women will not be a suitable electorate at all. They may be uneducated as far as that goes. Yet they have a sort of education and culture which is innate in them. You yourself must have seen a lot of old women, who probably cannot even sign their names, and yet take interest in world affairs. They are cultured people. They know what is wrong and what is right.

* * * * * *

33. Would you be satisfied if all the women that are to be elected to the legislatures are drawn from any particular class ?—Yes.

34. Suppose a woman who was elected to a legislature is the wife of a landlord or the wife of a capitalist and mill-owner. Would you be satisfied that she would be a fit representative of the women from the labouring classes or the agricultural classes ?—If she came in by the general electorate, she would be quite satisfactory. If she had not been helping the wage-earning women, they would not have voted for her at all. When she gets the suffrage of the labouring classes, she on her part, would look after their interests.

35. *Lord Dufferin :* You object to reservation of seats for women for the reason that you do not want differential treatment from men. Suppose seats are reserved for women as well as for men, will that satisfy you ?—And the rest elected ? That would not give equality.

36. At the same time, women would be treated in exactly the same way as men ?—I do not think so. If out of 100 seats you reserve 5 per cent. for men and

out of the whole lot, women get just that number, I do not think it is equality at all. Men come in through the general electorate and women do not come in at all.

37. I am asking you why you oppose reservation of seats. You say it is humiliating to be treated differently. Suppose we treat men and women exactly in the same manner and give both of them 5 per cent. of the seats in each legislature, would you still object ?—Yes. You are only giving us 5 per cent. out of all those seats. You are giving men in that case 95 per cent. by election and only 5 per cent. by reservation. It is not equality.

38. *Mr. Chintamani :* The proposal that wives and widows should be given the vote on the strength of their husbands' qualifications was not made really as a concession to the weak position of women, but because under the Hindu Law of Property, women in most cases do not become owners of property in their own right and it will be long before the Hindu Law of Property can be amended so as to place women on a footing of equality with men. When that is the case, will you object still.?—I think, as a matter of principle, we will object. If we do not object, we will never get the point that we want. How could we accept such a position ? If we once accept what you say, Muhammadan women who have the right to property will have the advantage and the poor Hindu women would be at a greater disadvantage than any other.

39. We seek only a means of facilitating the redress of the inequality ?—Is it not better to go by the right principle, Mr. Chintamani, for a man like you, instead of finding these little makeshifts? We would have to go back to it in another few years.

40. I greatly appreciate your point of view.

41. *Major Milner :* You stand for adult suffrage and, if that be impracticable you stand for wholly indirect system. Don't you think that there will be opposition to your suggestion for having a wholly indirect system from those who have now the direct vote ?—I dare say it is very difficult to give up what you once have. But if it is pointed out to them that this is only a temporary expedient leading to adult suffrage soon, they would accept it for a while. May be, that very many people will not accept it. But, on this point, I would like to ask this Committee to look far ahead and proceed on a matter of principle and work it out. I am sure you can work out a solution. I quite admit that those who have the power or those who have advantages now, will not probably accept it. I do not think, however, that they will say that it is a wrong principle.

42. Supposing you get such a franchise as would secure reasonably fair representation to all classes of the community including the poorest, what, do you think, would be the attitude of your Association ?—I think our Association, if it is reasonable like that, will certainly accept it.

43. Until adult suffrage is granted, if on some basis wage-earners are enfranchised, would your Association object ?—As I said before, I could not say exactly what the whole Committee would do. But we are reasonable people and so long as it is on the basis of a greatly widened adult franchise, I am sure we would try to work it.

44. You are against all special representation ?—Yes.

45. Supposing the forces of capital are so strong as to ensure their obtaining special representation for commerce, landowners and all that sort of things, would you agree that labour is right in insisting that it should also have special representation ?—Yes. I should say, for the time being it would be right. If you are going to give representation to the well-to-do, then naturally you must give the poor also the same representation.

46. *Mr. Tambe :* May I take it that your Conference entirely disapproves of communal or class electorates and does not want women to come to the legislature through such electorates ?—Yes.

47. *Major Milner :* Your association objects to wives getting the vote on the qualification of their husbands. Would it also object to wives of wage-earners getting the vote on the strength of their husbands' wage-earning qualification ?—Well, we would object to that also.

Memorandum submitted by the ALL-INDIA DEPRESSED CLASSES ASSOCIATION.

1. PROVINCIAL LEGISLATURES.

We agree that Adult Franchise ought to be the goal. But it should be attained by stages. The present Franchise qualifications should no doubt be lowered and the Electorate increased so as to enfranchise not less than ten per cent. of the population. We would suggest that the present franchise for the Provincial Legislatures would be extended to ten per cent. of the population by lowering the property qualifications. By including all taxpayers on the electoral roll we would be enfranchising a considerable proportion of the population. As for instance, by this method the Local Boards Franchise for the Madras Presidency has been increased to ten per cent. of the population by putting on the electoral roll all the taxpayers. The number of voters on new Municipal and local Boards Franchise and on Madras Corporation Franchise is as follows :—

Municipalities	336,000
Local Boards	4,532,000
Madras City	22,495
	4,890,495

Thus out of a total population of 46,731,850 of the Madras Presidency 4,890,495 voters are now on the electoral rolls of the District Municipalities and Local Boards.

Besides tax paying capacity we would suggest introducing a literary or an educational qualification, say Primary School Leaving Certificate, and Wage-earning capacity. Also the advisability of including in the electoral roll married men and women over 30 years of age may be considered.

(*b*) We think that an Electorate constituted on the above lines will be capable of casting an intelligent vote.

(*c*) We do not see any reason why such an electorate would not be administratively manageable for the preparation, maintenance and revision of the electoral roll and for the recording and counting of votes. As we have pointed out in (*a*) that it is practicable and administratively manageable in the Madras Presidency with reference to Local Boards and District Municipalities Elections, it should also be administratively manageable in the case of Legislative Council Elections.

(*d*) *Nil.*

(*e*) We favour enfranchising to the extent of twenty-five per cent. of the population.

(*f*) We fail to see why we should resort to the system of indirect voting while the system of direct voting is at present in vogue. The ultimate goal being Adult Franchise it is necessary that we should resort to the system of direct elections which is quite feasible. Our object is Adult Franchise and Direct Elections. Indirect voting will not establish direct contact between the voter and the candidate. The introduction of the Group system pre-supposes an election among the Groups. The administration will have to conduct the elections of the Primary Groups. This system would involve not only a great deal of administrative difficulty but also confusion and complication, making the elections a protracted business extending over a longer period. If Adult Suffrage at this stage is impracticable the Group

Memorandum by the ALL-INDIA DEPRESSED CLASSES ASSOCIATION. [*Continued.*

system too will be impracticable. If arrangements could be made for the Group system there is no reason why the same arrangements could not be made for getting the primary electors to cast a direct vote in the elections.

(*g*) We are not in favour of the introduction of Group System.

2. FRANCHISE QUALIFICATIONS.

(*a*) There is a disparity in the operation of the Franchise Qualifications in urban as compared with rural areas. We are in favour of rectifying such disparities. This could be done by introducing a uniform standard in both urban and rural areas.

(*b*) In case communal electorates of some sort are retained we are of opinion that each community should be given a voting strength proportionate to its numbers and we would suggest the lowering of the Franchise qualifications for this purpose.

(*c*) The possession of property qualification in our opinion is a suitable test of fitness for the Franchise. Since the object now before us is to increase the number of voters to an appreciable extent we would suggest the lowering of the property qualification to obtain the desired results.

(*d*) We are in favour of introducing an educational qualification independent of property qualification as stated above in 1 (*a*).

(*e*) We are in favour of retaining the existing Military service qualification as well as of extending it so as to include service in Auxiliary and Territorial forces.

3. WOMEN'S SUFFRAGE.

(*a*) We are in favour of increasing the women's electorate. We do agree that the age limit should be 21 for women as well as men.

(*b*) We do not favour Group System.

4. REPRESENTATION OF THE DEPRESSED CLASSES.

We are of opinion that adequate provision should be made in the new constitution for better representation of Depressed Classes and the system of representation by nomination should no longer exist. We consider that the Depressed Classes are not likely through such general extension of the Franchise as indicated above, to secure representatives of their own choice in the general electorates, unless seats are reserved for them in those electorates on the basis of population.

NOMENCLATURE.

The term Depressed Classes is now being objected to. It no doubt is a contemptuous term, it conveys everything that is mean and despicable and means the opposite of all that is respectable and holy. The community does not want this name. The leading members of the community in conferences held in the past sought for a name which would indicate that they were the first inhabitants of India and would point their racial origin. When the question of a name for the community as a whole was considered it was unanimously decided that the community should be called Adi-Hindu, meaning original, pure and direct descendants of ancient Hindus. Therefore in drafting the new constitution we would request the Government to use the term Adi-Hindu instead of Depressed Classes. This should be the general term but in the Provinces the community may call themselves as Adi-Dravidas as in the Madras Presidency or any such term which may be acceptable to the community in those Provinces.

DEFINITION.

Generally the terms Depressed Classes and Backward Classes cause confusion. Depressed Classes are those who are not only educationally backward but also

Memorandum by the ALL-INDIA DEPRESSED CLASSES ASSOCIATION. [*Concluded.*

economically, socially and politically backward and are known as Untouchables. On the other hand Backward Classes are those who are only educationally backward and are known as touchables. The lines of division which mark off the Depressed Classes from the rest of the Hindus are clear and unmistakable. All those Hindus who are outside the pale of the four castes, whose touch or proximity carries pollution and those whose occupations are considered unclean and impure constitute the Depressed Classes. They have not the right of the King's highway, they have not the right for public waterways and springs, they live segregated in Cheris, Basties, in Mohallas and in Pallis. Social rights they have none and of civic and political rights little. The idea of carrying pollution by proximity and the denial of entry to Hindu Temples or Devadarshan constitute the G. C. M. of the factors which make up Untouchability.

In each and every province lists of communities belonging to the untouchable classes should be prepared and should be embodied in a schedule or inserted as a rule in the Provincial Electoral Rules as it is now in the Madras Electoral Rules.

THE FEDERAL LEGISLATURES.

6. ALLOCATION OF SEATS TO BRITISH INDIAN PROVINCES.

(*a*) We agree to this proposal. We regard the Franchise qualifications for the Federal Legislature should be higher than for the Provincial Legislatures. We would recommend that the Franchise qualifications for the Federal Assembly be so lowered as to increase the present electorate of the Legislative Assembly to 5 per cent of the population. But we are in favour of reducing the territorial areas. We would recommend direct elections and rather create more constituencies than resort to indirect elections by having constituencies of enormous size. Direct Elections will maintain contact not only with the constituency but with the voters also.

7. REPRESENTATION OF WOMEN, LABOUR AND DEPRESSED CLASSES.

Adequate representation should be given to women, labour and Depressed Classes in the Federal Legislature. The representation for the Depressed Classes should be on population basis. Out of the seats earmarked for the Depressed Classes in the Lower Chamber, one should be allotted for Delhi. Since the number of seats to be reserved for the Depressed Classes for the Federal Legislature would be small and thus the constituencies would be naturally larger and unwieldy, it would be desirable that the representatives of the Depressed Classes would form themselves in the various Provinces as electoral colleges and elect any member of the Depressed Classes who possesses the required qualifications.

Memorandum submitted by Rao Bahadur M. C. RAJAH, M.L.A.

1. EXTENSION OF FRANCHISE.

(*a*) From the note appended to the questionnaire giving the statistics and number of voters on local bodies and municipal corporations, I see the total population of the Madras Presidency is 46,731,850 and the total number of voters on the new municipal and local boards franchise under the recently amended Act, is 4,890,495. This figure 4,890,495, practically is 10 per cent. of the population. So by adopting this franchise qualification it will be possible that the existing franchise for the Provincial Legislatures could be easily extended to 10 per cent. of the population. Moreover, as the electoral rolls for the district municipal councils, panchayats, taluk boards and district boards and for the Madras Corporation Council have already been prepared and elections to these bodies are now being held, if these electoral rolls are made operative for the Provincial Legislatures also it will save a great deal of administrative labour.

(*b*) Yes, it will. At present the people enfranchised under the recently amended Acts referred to above will be capable of casting an intelligent vote.

(*c*) The answer to this question is obvious since elections are being held for these local bodies and they are being managed administratively.

(*d*) Does not arise.

(*e*) Though the figure 4,899,495 is 10 per cent. of the total population, yet it is about 20 per cent. of the figure 23,349,601 which is the total number of the population over 20 years. In my opinion, I think 4,890,495 will be representative of the general mass of the population.

(*f*) If adult suffrage is impracticable at present this group system too will be impracticable. This group system presupposes an election among the group with adult suffrage. I really fail to see how it can lessen the administrative difficulty, for it is the administration that should conduct the elections of the primary groups for the election of one or more representative members for each group who would be entitled to vote. This system will involve a great deal of administrative difficulty and confusion. At the present stage the country is not fit for adult suffrage. I totally disapprove of this Group system. When we are having direct elections to the municipal councils and local bodies without this Group system and in an electorate consisting of about 10 per cent. of the population, I do not see any necessity for considering Group system for elections to Provincial Legislatures.

(*g*) Since I advocate the present system of election and the present franchise qualifications as it is now under the recently amended Acts I am not in favour of this course.

2. FRANCHISE QUALIFICATIONS.

(*a*) No doubt there is a marked disparity in the operation of the franchise qualifications in urban as compared with rural areas. The franchise qualifications should be lowered. Since I accept the municipal and local boards franchise I do not propose to answer this question fully.

(*b*) Yes. The other qualifications which may be considered are as follows :—

(1) Educational qualification (Primary School-leaving Certificate).

(2) Wage-earning capacity.

(3) Married men and women over 30 years of age.

(*c*) I am for the new municipal and local boards franchise.

(*d*) Yes, Primary School-leaving Certificate.

(*e*) Yes, both.

3. WOMEN'S SUFFRAGE.

(*a*) I am in favour of increasing the women's electorate in the way suggested by the Statutory Commission.

(*b*) Does not arise.

4. REPRESENTATION OF THE DEPRESSED CLASSES.

It is no doubt essential that provision should be made in the new constitution for the better representation of the depressed classes and that the system of representation by nomination should no longer exist.

The possible application of the Group system of representation to the depressed classes will be of no use. It will entail not only administrative difficulty, it will be most inconvenient and impracticable and will be too much for a poor community like the depressed classes.

This Group system will not be acceptable to the depressed classes as it will lead to a lot of confusion and complexities.

Memorandum by Rao Bahadur M. C. RAJAH. [*Concluded.*

Now it is proposed to enfranchise not less than 10 per cent. and not more than 25 per cent. of the population. If groups of 20 elect one man who would be entitled to vote in the elections then we would be actually enfranchising about 5 per cent. of the total population and 2½ per cent. of the population over 20 years of age; only 5 per cent. of the population would be exercising their franchise as against the 10 per cent. of the total and 20 per cent. of the population over 20 years of age which is now actually voting under the Local Boards Acts in the Madrs Presidency. This looks absurd. I do not think any further comment is necessary.

5. REPRESENTATION OF LABOUR.

I am of opinion that the present local boards and district municipalities franchise will provide representation of Labour but I would also recommend the wage-earning capacity to be considered in this case.

(*a*) It can be organized only in industrial areas, say in Madras, Madura, Trichinopoly and Coimbatore.

(*b*) This is not possible as there are no organizations for agricultural and plantation Labour.

I would allot representation to Labour on the population basis.

DELHI.

Dated 30th March, 1932.

PRESENT :

ALL MEMBERS OF THE INDIAN FRANCHISE COMMITTEE, EXCEPT SIR ZULFIQAR ALI KHAN, MR. E. MILLER, SIR SUNDER SINGH MAJITHIA AND KHAN BAHADUR AZIZ-UL-HUQUE.

Deputation from the All-India Depressed Classes Association.

1. Rao Bahadur M. C. RAJAH, M.L.A.

2. Mr. G. A. GAVAI, M.L.C.

3. Rao Sahib L. C. GURUSWAMI, *Ex*-M.L.C., Honorary Presidency Magistrate, Madras, President, The Arundhateeya Mahasabha, Madras, Vice-President, Chingleput District Educational Council, Member, Chingleput District Board, Member of the Senate of the Madras University.

4. Mr. BOHRE KHEM CHAND, *Ex*-M.L.C., Vice-President of the Association, President, All-India Shri Jatava Mahasabha, Agra.

5. Mr. J. MANDAL, M.A., B.L., President of the Bengal Namasudra Franchise Board, representative of All-Bengal Backward Classes Association, Calcutta.

6. Mr. S. G. NAIL, M.L.C., Berar and President of Provincial Branch of the Association.

7. Mr. S. U. KOTANGLE, *Ex*-M.L.C., Vice-President of the C. P. Branch, Nagpur.

8. Mr. P. N. RAJABHOJ, President, Provincial All-India Depressed Classes Association, Poona, Member, Poona City Municipality and District Local Board, Poona, Editor, "Dalit Bandhu".

9. Mr. H. J. KHANDEKAR, General Secretary, C. P. Mahar Youth League.

10. Mr. VIRRATNA DEVI DAS, Secretary, All-India Jati Sudhar Mahasabha, Vice-President of the Association, Delhi.

11. Mr. JANKI DAS, Vice-President, All-India Jati Sudhar Mahasabha, Delhi.

12. Dr. RAM PRASHAD, Provincial Secretary, Delhi.

13. Mr. ISAR DAS, B.A., Punjab.

14. Mr. K. S. KANE, B.A., Agra.

1. *The Chairman :* Mr. Rajah, you are the official representative of the All-India Depressed Classes Association ?—Yes, Your Lordship.

2. The question as to whether or not there should be separate or joint electorates for the depressed classes is not referred to this Committee for settlement, nor will it advise as to the precise number of seats which should be allotted to the depressed classes ; it is a matter which is contingent on the first question. Both these matters are reserved for final decision, as part of the communal problem, to His Majesty's Government. The business of the Franchise Committee is to supply the Government with information and certain facts which would help the decision. Therefore I am going to ask you a certain number of questions which will, I think, give the Government the information which is required. The first question is as to the definition. I understand that your association or you yourself any way regard untouchability as the test ?—Yes.

3. Untouchability or pollution by touch you accept as the definition ?—We do accept it and also we define untouchability like this : all those classes who do not have access to common wells, and all those classes who have no access to Hindu temples.

4. Can you give me your figures of the numbers of the depressed classes in India ?—I cannot give you my figures. I will have to give you only the Government figures.

5. The figures which you would provisionally accept ?—We accept the Government figures.

6. You accept the Simon Commission's rough estimate ? I think it is 43 million and odd.—We do.

7. That will be approximately the number ?—Yes.

8. No doubt subject to revision in detail, that will be the approximate number ?—Yes.

9. Could you tell me the special disabilities which the depressed classes suffer from, on which you base your claim for special treatment ?—As I have told you already, the special grievances of the depressed classes are more social than political. It is entirely due to the caste system that is prevailing in the country. The members of the depressed classes, generally speaking, are not admitted into common schools. That is one. And, as I have already told you, they are not given access to common wells, they are not allowed to draw water from common wells ; and in certain parts of the country they are not even allowed access to the King's highway. That is in the south. In certain places here and there, they are not also allowed into common choultries or inns or rest-houses. Above all, the depressed classes suffer under a great disability, and that is, in certain provinces the depressed classes have been debarred from entering Government service. The one way to remove untouchability is by giving adequate representation in the Public Services, not only in the lower ranks but also in the superior grades. That is the most important aspect of the question to which we want to draw your attention. If some important appointments are thrown open to qualified men among the depressed classes, it would go a long way in the solution of this problem. I say there are very many qualified men among the community. We are not going to ask Government to put in inefficient and unqualified men. Among us are qualified men, men possessing the qualifications necessary for these appointments. If these appointments are thrown open to the depressed classes, and they are freely given these appointments, I am sure untouchability will vanish very soon. And since you ask me, Sir, I have to tell you that the Public Services Commission too is not very sympathetic towards the depressed classes. They have got certain rules and regulations which hamper our progress rather than help us in getting some of these appointments. I do not want to go into the details of the grievances of the depressed classes, because they are all known to you, and the time is very short. The second point is that we should have adequate representation in the Legislatures so that our voice will be heard adequately, and we get our grievances redressed.

10. Now do you agree with the view which has been expressed that there is a distinction between the disabilities from which the depressed classes suffer in the three southern Provinces of Bombay, Madras and Central Provinces, and the disability which they suffer from in the other provinces, in Northern India ?—The disability in Northern India is, no doubt, not so acute as in Southern India. But for the last few years there has been a change even in the south, and I will give later on certain illustrations to support my point. As a matter of fact even in the south the depressed classes were not allowed into some of the Hindu restaurants. But now they are allowed. And you would have seen recently a member of your Committee was entertained in one of the Hindu restaurants in Madras, the Komala Vilas Restaurant, where the depressed classes entered and gave the entertainment. Even in other social matters, for instance, on marriage occasions we have got our own priests to officiate at our marriages. We have got our own caste-men for this

purpose. Now we get the Brahman priests to officiate at our marriage ceremonies. And when one of the members of your Committee performed a marriage, he had the honour of Brahman priests officiating at the ceremony. My friends in Madras and Bombay would say that it was not a condition of things existing three years ago. There have been many marriages last year where Brahman priests officiated. These are indications to show that for the last two years social reformers belonging to other communities have been taking a great deal of interest in the amelioration of the depressed classes. There is a change in the angle of vision and I am sure that even the south will come up to the conditions in the north.

11. I want to ask you this question; it is material from the point of view of giving the Government information. I understand that you yourself and your friends stand for joint electorates with reservation of seats.—Yes, that is so.

12. We are not discussing that proposal. But I want you to tell me how you propose to work it out in practice. Your population is, say 45 or 43 millions, that is between one-sixth or one-seventh of the population of India. And, as I understand it, the depressed classes are, broadly speaking, distributed throughout the length and breadth of the country. They may be rather a few in proportion in the north-west where the Muslim population is stronger. But still they are more or less uniformly distributed over the whole country. They are not congregated in certain areas. Therefore if you are going to have some form of reservation of seats, it can only be in multi-member constituencies.—It is so.

13. Do you mean that we will have to reserve on that basis one seat out of every six or seven. Have you considered how you would work that out administratively?—I do not think there will be any administrative difficulty at all as regards this. I have not exactly caught your point. Take for instance the Madras Presidency. There are 25 districts. Supposing we are given a certain total number of seats, the number of seats will vary for each district. Now the Madras Provincial Franchise Committee and the Provincial Government have given a certain number of seats. Taking it that they have given 18, the question is how these are to be reserved in the joint electorates.

14. I understand your proposal means that you want to abolish the single-member constituencies altogether?—It is not so altogether. In areas where you have to ear-mark a seat for depressed classes, we must have multimember constituencies. Taking the case of Madras, where there are 25 districts, if 25 seats are given to us that will be one seat for each district. To that proportion you also increase the seats in the Provincial Council. That will settle every difficulty. I would prefer that the districts of the Madras Presidency may be classified according to the population of the depressed classes as 1, 2, 3, 4 and so on; so that, according to the recommendation of the Madras Government to give us 18 seats, we should have reserved seats for 18 districts and the districts that have larger population of one community should be permanently given one seat; as for the other districts, the seats should be reserved by rotation at every period of election.

15. Would you apply that to every province in India?—Oh, yes. In certain districts where you have got a sufficient number of depressed classes, the seat will be permanent.

16. You said that the distribution of depressed classes was more or less uniform. No doubt in certain areas it is more. But it is more or less scattered all over the country?—They are scattered all over the country, but the proportion is not uniform in all places. In one district you may have more. Chingleput has got the greatest number of depressed classes. Malabar has got a large number.

17. Your view, I take it, is that there should be multi-member constituencies throughout India, and that they should be of a size which would make it possible to reserve, say one-sixth or one-seventh of the seats for the depressed classes. That, I understand, is your proposal. I am dealing with it simply as an administrative problem.—Yes.

18. You propose, I think, a lower property qualification and an educational qualification. Have you any estimate of the number of depressed class voters who would be on the roll under those qualifications, and what proportion that would bear to the number of voters from the rest of the population ?—I cannot exactly give you that figure. I am trying to get that. But we will have a considerably large number. At present according to the local board franchise, in my own province, there are, I think, about 400,000 voters, and if you are going to have additional qualifications, that is, educational qualification and wage-earning qualification and so on, it will come to about 4 or 5 times more.

19. You have not made any detailed study of that question ?—I am trying to get the help of the Government also. I am not able to get it. I have been trying to get the Census figures of depressed classes from the Legislative Assembly, but I am not able to get them. My experience in these matters shows that committees will not be satisfied with my figures ; therefore I am trying to get the Government figures.

20. You do not give any estimate on the basis of your own proposals as to what numbers of the depressed classes will be on the roll. That is not an easy thing to do. It is one of the definite questions we are asked to consider.—It will be 10 to 15 per cent. of our population.

21. Under the qualifications that you recommend ?—Yes.

22. Would you explain a little more what you mean by electoral college for the depressed class constituency for the Federal Legislature ? Is that tantamount to a separate electorate ?—No. I thought you would put that question to me. I anticipated it. The difficulty is this. It is more for administrative convenience and our convenience as well that I propose it. If you are going to have seats earmarked in the joint electorates for the Federal Assembly, our candidates will have to go about six or seven districts or sometimes over the whole province to canvass. In order to facilitate matters, for our convenience as well as for the convenience of the Government, we propose electoral colleges to be formed by bringing together (combining) all the depressed class members on the Legislatures, district boards, taluk boards and municipal councils and, if possible, union boards also.

23. Let me understand what you mean more clearly. So far as the Senate is concerned, you want the depressed class representatives to have a separate group in the legislatures, because their number is not large enough to get elected under the single transferable vote ?—For the Federal Legislature, we want our representatives to return members. We want an electorate to be formed consisting of our own members in the Provincial Councils, our own members in the district boards, our own members in the taluk boards, and our own members in the union boards and in municipal councils.

24. Is that for the Senate or for the Assembly ?—It is for both.

25. You propose the same system for both ?—We propose the same for both. For the Upper House, you will have to include in the electorate the representatives from the Lower House also.

26. You want to bring in, for the election to the Senate, the depressed class representatives on the union boards, local boards, municipalities and so on ?—Yes.

27. Of what size you think would be this electoral college for the Assembly on your proposals ? Have you worked it out ?—It would be of a pretty big size. But they are all representatives returned by the general electorate, and therefore they represent the masses of the depressed classes. And their exercising vote is I think the right way of returning a member for the Federal Assembly. It is something like the group system. You want groups of 20 and 30 electing one each. These are groups of unions and boards electing members.

28. I just want to see how it would work administratively. You take all these depressed class representatives and group them into one. Do they form a constituency for the whole country ?—They form constituencies, not for the whole country, but province by province.

29. If the number of special seats for the depressed classes in the Federal Legislature is equal to or exceeds the total number of members for the province ?—The number of seats allotted for the depressed classes in the Federal Legislature will be in proportion to the population of the depressed classes in the various provinces. So each province will have its quota.

30. You are a member of the Legislative Assembly, I understand, and you were a member of the Indian Central Committee. Could you give me a few facts about the All-India Depressed Classes Association, its membership and so on, in your representative capacity ?—The All-India Depressed Classes Association was started in the year 1925, with headquarters at Nagpur in the Central Provinces. This is the only organisation of an All-India character working for the depressed classes. The association has been holding its annual sessions in various centres in India, laying down the policy on behalf of the depressed classes. The association is a socio-political organisation. It has created a sort of consciousness in the minds of the depressed classes. And the association has been trying to wean the depressed classes from bad habits like intemperance and so on. From time to time we have been having our annual sessions in various provinces. In the year 1926 we had our session in Nagpur, in 1927 at Allahabad, in 1928 at Delhi, in 1929 at Madras, in 1930 at Amraoti. We had a number of conferences, political conferences, social conferences and women's conferences also. In 1930 we had a session at Meerut; in 1930 again, we had a session in Allahabad. In 1931 we had a session in Gurgaon. These are All-India sessions we are having. We have been holding certain political conferences; in 1929 we had a session in Nagpur; in 1930 in Amraoti; in 1931 we had a session in Chanda; in 1932 we had in Tunsar. These have been our activities in the past.

31. Would you tell me the membership ?—Our association is a central association which has got affiliated to it associations in various provinces. Our total membership will be the number of members of the various branch associations. The total numbers taken together from all the provinces come to 40,000. We are not in a position to give accurate figures. We have written to the Provincial Secretaries for the figures.

32. We have received a memorandum from certain members of an Association cavelling at certain actions taken by yourself and others at a recent meeting in Delhi. The letter from Swami Acchutanand in substance says that this meeting was not representative and that the decisions were not correctly taken. I should like to ask you a few questions to clear some points. I want, however, to preface my remarks with this, that this Committee does not want to go into the question of who exactly represents whom, because the division on this matter is not before this Committee, but in view of what has been said if you have any comments to make in your representative character I shall be glad to hear you. What this Committee is concerned with is getting the case of the depressed classes. We are not concerned with whether the method should be by joint electorate or separate electorate; and I may add that we are going to call these gentlemen in order to get their views ?—(*Rao Bahadur M. C. Rajah*): I am very glad you have put this question to me. First of all the meeting we had in Delhi on the 21st and 22nd February last was a meeting of the Working Committee of the All-India Association and not an ordinary meeting or a conference. The General Secretary of the Association invited the members of the working committee and since this question was very important we wanted to consult members outside the working committee and therefore we invited members who were leading men and men of standing at a consultative meeting wherein we made it very clear that

since we had got the questionnaire from the Indian Franchise Committee and also since we got a letter from the Hindu Mahasabha we wanted to consult them, We did not want to take the whole responsibility on our shoulders and therefore we wanted to consult other members and we wrote to Bengal, Bombay, Madras, United Provinces, Punjab, Central Provinces and from those provinces representatives came and we consulted them. We have not taken any decision at the consultative meeting. We gauged their opinion and the consensus of opinion in that meeting was in favour of joint electorates and for reservation of seats. Then the working committee met the next day and Swami Acchutanand, who is a member of the working committee, was absent then and therefore he has no justification for saying that the committee did not do this or that. Another thing is Mr. Baldeo Prasad is not a member of the working committee and therefore, was not entitled to admission. But I can tell this Committee that the working committee met and unanimously decided that they should accept joint electorates with reservation of seats. In this connection we addressed the United Provinces representative Babu Ram Sahai, a member of the Provincial Committee, and he said that we should not hold the meeting now but later on and he further said that if the Hindu Mahasabha wanted to have any compromise they should go to Dr. Ambedkar and he further stated that "if you persist in holding a conference the various depressed class leaders in the United Provinces will go to Delhi and offer united opposition in the conference." We held the conference and there was no opposition and everything was carried unanimously.

33. In other words you say that the views expressed in this memorandum signed by Mr. Gavai represent the views of your association ?—Yes.

34. *Major Milner:* I should like to ascertain how far we can rely upon it as representing the views of the majority of the depressed classes. In the first place you say you estimate the membership at 40,000. Have you any particulars by provinces or associations ?—We have got all the associations affiliated to us.

35. Does not your association have records. What does the last complete record show of your membership ?—About 30,000. That was in 1929: that is by provinces.

36. Can you let us have in the next day or two how that is made up ?—In a week or so, yes.

37. Has this statement by Mr. G. A. Gavai not been submitted to your affiliated association ?—No, we had no time to circulate it but our working committee has members from each and every province and they have passed it.

38. Have you any copy of the minutes relating to this meeting here ?—No.

39. In view of the challenge that has been thrown out should you not have had a copy ?—If you don't believe me, I cannot help it.

40. It is not a question of not believing you, but that would be the best way of trying to ascertain what is the correct position. Is it correct to say when the question of the joint electorates was placed before the meeting it was withdrawn ?—It was unanimously passed.

41. How many representatives in all were present at the meeting which had before it the Franchise Committee's questionnaire ?—The quorum was there. When we have a quorum we hold a meeting.

42. What is the quorum ?—There were 8 or more than 8. With reference to your question will you let me read a letter which was addressed to all members dated 7th February 1932? The letter says "You know that the Indian Franchise Committee is now touring India to collect evidence on the question of franchise, etc. I am glad to tell you that the Hindu Mahasabha are placing certain proposals before us with a view to arrive at a certain settlement between us. As this is very important and as your advice and consultation is very essential in this matter,

we are proposing to hold a conference of our leading men in the various provinces in Delhi on Wednesday the 17th of February." So we made it very clear what the two main objects were.

43. I understand you to say that in addition to that being sent to the working committee it was sent to other leading men for their advice ?—Yes.

44. You make a suggestion with regard to wage-earners, that they should be enfranchised. What are your ideas ?—By property qualification we meant wage-earning capacity also and that varies as regards rural and urban areas. We want to enfranchise all men earning at least Rs. 5 a month or Rs. 60 a year and women who earn at least Rs. 30 a year.

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45. *Diwan Bahadur Ramaswami Mudaliyar:* You were the first member of the depressed classes to be nominated in any legislature ?—Yes, under the Minto-Morley Reforms. I was for 3 terms in the Madras Legislature.

46. You were also on the local boards in the Madras Presidency ?—No, my time was occupied in the legislative Council.

47. You were the first organiser of the depressed class association in the Madras Presidency ?—Yes.

48. You led the deputation before Mr. Montagu ?—Yes.

49. And after that you have been leading the depressed classes at every stage ?—That is so.

50. In your capacity as a member of the Indian Central Committee you had an opportunity of touring India ?—Yes, and understanding the people.

51. About the conditions in Madras,—you were good enough to say that in the last 10 years you had seen a different angle of vision. Of course you are not satisfied that sufficient advance has been made, but you do feel there is a change for the better ?—Yes, in 1917 they accused me of joining hands with the non-Brahmans and they said I was bartering my community to the non-Brahmans. Now, you know that all those who opposed me have become members of the Justice party and on the 27th of February last when the Justice party celebrated Justice Day one prominent member who opposed me and started a rival organisation against mine then said—his name is Mr. V. G. Vasudeva Pillai—: " if there was any movement which had rendered yeoman service to the depressed classes it was the Justice movement, and he cited for instance the fact that the depressed classes would not have received representation on the Legislative Council but for the efforts of the Justice party whose representatives at the joint Parliamentary sittings advocated it. The Justice paper was championing their cause for separate electorates and he thanked the editor of the paper for his strong support of the cause of the depressed classes whenever occasion arose."

52. With reference to posts in Government Service, it is a fact that in Madras the Ministry has passed rules that posts are to be given to the members of the depressed classes ?—That is not adequate.

53. With regard to the recent elections which have taken place in Madras, can you give the Committee any information as to the results of such elections and whether members of the depressed classes, according to the Prime Minister's own words, were able to elect men of their own choice in the joint electorates ?—In the Madras Presidency as a test case we are trying to see how it works and I am glad to say that in the place where I live not only did we get the seats that were reserved but we captured the non-reserved seats also.

54. That is to say, those whom your men have chosen as candidates have been returned in the joint electorates ?—Yes.

55. I want to ask Rao Sahib Guruswami one question. One of the members of your community appearing before us in Madras said that the Arundhateyan

were grouped together with the Adi-Dravidas and had swamped the other communities and therefore they would require some special protection ?—Yes.

56. And therefore by joining together various classes of the depressed classes one particular community which bulks in numbers may get all the advantage over other communities which would be left out in the cold ?—Yes.

57. Do you consider the depressed classes are likely through joint electorates to secure representation of their own choice, and if so to what extent ?—*Rao Sahib Guru Swami*: It is not possible for us to secure representation in a joint electorate unless our seats are reserved and therefore the only demand we make is that our seats should be reserved in a joint electorate.

58. *Mr. Bakhale:* In your statement you say you apprehend administrative difficulties in regard to the system of adult franchise. If those difficulties were got over would you be in favour of adult franchise in urban areas ?—Yes.

59. If the administrative difficulties are got over in urban areas you would be in favour of introducing adult franchise to start with ?—(*Rao Bahadur M. C. Rajah*) *:* We would favour it.

60. You further say that the present franchise qualifications should no doubt be lowered and the electorate increased so as to enfranchise not less than 10 per cent. of the population. If your proposal is carried into effect do you think that the depressed classes will secure a sufficient number of votes to enable them to get people of their own choice through the joint electorates ?—We have also given certain additional qualifications.

61. You want preferential qualifications for the depressed classes ?—If the other communities don't object.

62. If it is found that through the joint electorates you may not be able to get people of your own choice through reserved seats you would certainly go in for preferential qualifications for the depressed classes ?—The point is this. In a joint electorate unless the non-depressed classes in a body make up their mind to vote against the depressed class candidate there will be no difficulty. We will surely have men of our own choice. As I have already said the non-depressed classes are divided on our issue. The mentality has changed and there are better class of Hindus working in our favour and therefore that contingency will not arise.

63. You think that if 10 per cent. of the population is enfranchised you will be able to secure men of your own choice through joint electorates and reserved seats ?—We think so.

64. Can you tell me whether any depressed class men and women have ever been elected to the Legislatures, Provincial or Central ?—Men have been. Not women.

65. Elected ?—In Bengal and recently in the United Provinces.

66. *Mr. Chintamani:* For how many years have you been in the depressed classes work ?—I have been for the last 2 decades.

67. You said that the All-India Depressed Classes Association was the only all-India organisation working for the uplift of the depressed classes ?—At present.

68. Have you not heard of the All-India Depressed Classes Congress ?—I have heard of the Congress, but I do not know whether it is an association working like that.

* * * * * *

69. You have heard of the All-India Depressed Classes Congress. Can you tell me how long it has been in existence ?—I think for 2 years. They have had

only one session up to this time. I have got a communication from that Congress. They are going to have their second session some time in April this year. They only had one session previous to this.

70. We were told in certain provinces that to give special representation to the depressed classes would render unnecessary special representation for labour and to give special representation for labour would render unnecessary special representation for the depressed classes as the bulk of the labouring population comes from the depressed classes. Do you share that opinion ?—No.

71. Do you think that that will hold good of any particular part of India or of no part of India ?—My experience is that labour should have special representation.

72. I am not asking about that. What we were told was that they will be more less or to a large extent the same class of men and that to provide for special representation for labour separately and for the depressed classes separately would be tantamount to providing for the same set of people twice over ?—No, it won't.

73. You don't think it would hold good of any part of the country ?—I don't.

74. You want provision for the depressed classes in the Central Legislature, in both houses of the Central Legislature ?—Yes.

75. Do you think that the nature of subjects in which the depressed classes would as depressed classes be particularly concerned and interested would be provincial, or also central subjects ?—Central subjects also.

76. Could you give an illustration ? If I may be a little more particular, Education, Medical relief, public health, communications, matters of economic development including agriculture and industries are all provincial subjects now and may be expected to remain provincial subjects in the future and you take the central subjects of the present day and proceed on the assumption that they will be provincial subjects under the new constitution. Can you name any of those central subjects which may be of particular concern to the depressed classes rendering necessary provision for their representation in the centre also ?—What about the social laws ?

77. Has there been any social law affecting the depressed classes specially ?—I can give you an instance. Now there is a bill before the Legislative Assembly introduced by my friend Mr. Shanmukham Chetty. Here is the bill, a Bill to remove the disabilities affecting the untouchable castes of the Hindu community.

78. You have claimed representation in the legislatures on the population basis through reserved seats. Do you want that proportion of representation in the provincial legislatures only or you want the same proportion in the Central Legislature ?—Same proportion in all the legislatures.

79. I am obliged to make one more enquiry and beg of you not to interpret it as a reflection upon the class from which you come. Do you think that in the present state of education and advancement of the depressed classes—a backward state for which you are not responsible—a sufficient number of them will be forthcoming in every province to fill the seats on the population basis in all the provincial legislatures as well as in the two houses of the Central Legislature ?—If your qualification for candidates to enter the legislatures is to be University degreed men, B. As., M. As. and Barristers, etc., then of course what you say is quite right. But, if you want men of commonsense, men who can understand the debate in the Councils, men who can follow the debate in the Councils, men who can understand the grievances and difficulties of these people, I dare say you can get scores and scores of men of the depressed classes to enter these Councils.

80. Mr. Gavai, how long have you been a member of the provincial council ? —(*Mr. G. A. Gavai*): For the last 12 years, since 1920.

81. That is, since the Reforms. For how many years have you been working in the cause of the depressed classes ?—I have been working for the last 25 years.

82. Did you come before Mr. Montagu and Lord Chelmsford at Bombay on behalf of the depressed classes ?—Yes.

83. Did you give evidence before the Southborough Committee ?—Yes.

84. Did you preside over any session of the All-India Depressed Classes Conference ?—Yes.

85. When and where ?—In 1920 when it was held at Delhi. I have presided over All-India and Provincial conferences.

86. Your own Association was formed in 1925 ?—Yes.

87. Have you had the same President all the time ?—Yes.

88. Has he been unanimously elected every time ?—Yes.

89. There was no other candidate ?—In 1928 when we met at Delhi and when the election of office bearers took place Dr. Ambedkar's name was suggested for Presidentship from Bombay. He could get only one.

90. *Dr. Ambedkar :* Thank you. Who was the gentleman ?—Dr. Solanki proposed his name but he could not get a seconder.

91. *Mr. Chintamani :* Are your annual sessions attended by all-India delegates ?—Yes.

92. When was the last session held ?—At Gurgaon in October 1931.

93. How many delegates were present ?—About 15,000.

94. From all over the country ?—Yes.

95. *Lord Dufferin :* You say that there is a line drawn between the backward classes and those classes whose touch causes pollution and are classed as depressed ? —(*Rao Bahadur M. C. Rajah*): That is so.

96. We were told in U. P. that if you drew that line on that definition you would get about a million depressed classes. Do you accept that ?—I do not accept that at all. My definition I have already given. All those classes who are untouchable are depressed.

97. Have you worked out the numbers province by province ?—I did work out when I was in the Central Committee. As regards U. P. I gave my note to Dr. Ambedkar which was prepared for Sir John Simon.

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98. *Sir Muhammad Yakub :* Would you agree to reserved seats with joint electorates including the Mussulmans ?.—We welcome them to come into joint electorates.

99. Will you agree to have reserved seats for depressed classses through general electorates including the Mussulmans ?—We welcome them. We welcome the Mussalmans also.

100. You have just said that through joint electorates you succeeded in having your own representatives ?—Yes, as well as capturing other seats also.

101. Why do you want reservation of seats ?—Becuase we are not properly organised at present. In course of time, in 10 or 20 years, we will also say we do not want reservation.

102. You want it for a short time ?—Yes.

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Rao Bahadur M. C. Rajah : We are much obliged to you for giving us so much time.

Memorandum submitted by the ALL-INDIA MUSLIM LEAGUE.

I have the honour to submit below the suggestions of the Council of the All-India Muslim League on the Questionnaire issued by the Franchise Committee. I must, however, make it perfectly clear that these suggestions are submitted on the clear

assumption that the Muslim demands to the method and quantum of representation in the various Legislatures shall be fully acceded to :—

(1) (*a*) By extending the franchise to the following classes of persons :—

1. Every person owning land assessed to land revenue.
2. Every person occupying as tenant or lessee an area of land which is assessed to land revenue of not less than Rs. 10 per annum or in respect of which he pays to his landlord a rent of not less than Rs. 15 per annum.
3. Every person assessed to any direct provincial or federal tax.
4. Any person assessed to a direct Municipal or District Board tax of not less than Rs. 3 per annum. (In this connection tax does not include the price levied by a local body for services rendered, for instance water rate or charges for electric current.)
5. Every person in receipt of a salary or wages amounting to not less than Rs. 180 per annum.
6. Every person owning or occupying immovable property of the annual value of not less than Rs. 24.

(*b*) Yes.

(*c*) Yes.

(*d*) Does not arise.

(*e*) We certainly consider that it would be desirable but we doubt whether it would be practicable having regard to the considerations suggested in (1) (*e*). We expect, however, that the adoption of the qualifications suggested under (1) (*a*) would lead to an increase in the number of voters for the Provincial Legislatures which would probably include more than 10 per cent. of the population.

(*f*) We do not favour the suggestion and consider it impracticable and the remaining questions under this and the next sub-head do not, therefore arise. In case, however, the suggestion is adopted we think it should apply to all adults not entitled to a direct vote whether in a village or in a town. We are of the opinion that group electors should vote in the same constituencies as the directly qualified electors and that group election should be only one of the additional qualifications for obtaining a vote.

(*g*) As we have said above we are definitely opposed to the suggestion that separate constituencies should be framed for group electors but in the event of this suggestion being adopted we are opposed to the suggestion that only group electors should be qualified to stand as candidates for such constituencies.

(2) (*a*) Yes ; the adoption of the qualifications suggested under (1) (*a*) would to a large extent operate to rectify such disparities.

(*b*) We strongly support this suggestion and have no doubt that Provincial committees would be able to make suitable proposals under this head with regard to each province.

(*c*) Yes, subject to the modifications suggested under (1) (*a*).

(*d*) We are in favour of the extension of the franchise to every Matriculate of an Indian University and every person who has passed any equivalent examination. Such persons would be entitled to have their names placed on the electoral rolls of general territorial constituencies and this qualification would operate as an additional qualification for the franchise irrespective of any property qualification. In this connection we wish, however, to submit that in our opinion it would not be necessary to continue the representation of Universities as such in Provincial Legislatures but if such representation is continued, members representing Universities should be elected by the Senates of the Universities and not by graduates who would, under our suggestion, become entitled to vote in general constituencies on the basis of their educational qualification.

(*e*) Yes.

(3) (*a*) We are definitely and strongly opposed to any suggestion which would admit women to the suffrage on any terms different from those applicable to men. Such a course has not been adopted in any other country and there is no reason why this novel experiment should be tried for the first time in India.

(*b*) In the event of the system of group representation being introduced we consider that separate groups should be formed for women and the same group should not contain both women and men.

(4) We do not consider that the general extension of the franchise suggested by us would enable the depressed classes to secure representatives of their own choice in the general electorates and we are of the opinion that the application of some special measure would be necessary to enable the depressed classes to secure proper representatives. Representatives of the depressed classes will no doubt be able to make suitable suggestions.

(5) Labour organisations would be in a better position to make suitable suggestions under this head.

(6) We consider that the allocation of seats to British Indian Provinces suggested under this head is fair except that Delhi should be given two representatives in the Lower Chamber but we are emphatically opposed to the implied suggestion that Indian States should be given 40 per cent. representation in the Upper Chamber and one-third in the Lower Chamber. We consider that there is no ground whatever for giving to the Indian States as such any weightage in the Federal Legislature and that the apportionment of seats between the Indian States and British India should be strictly on the basis of their respective populations.

(6) (*a*) We agree with the proposal contained in this paragraph subject to the adjustment of the representation of various communities.

(*b*) Having regard to considerations of convenience and practicability we consider that the qualifications for the Federal and Provincial Legislatures should be the same.

(*c*) On the whole we are in favour of elections to the Lower Chamber of the Federal Legislature by means of territorial constituencies consisting of qualified voters who will cast their votes directly for the candidates of their choice.

(7) In order to facilitate the casting of votes by women we consider that it is absolutely necessary that separate polling arrangements should be made for women and that these polling stations should be conveniently situated and should be staffed entirely by women.

(8) We consider that after the next extension of the franchise as the result of the recommendations of this committee Provincial and Federal Legislatures should be given the power to extend the franchise within their respective spheres by constitutional resolutions without the necessity of any further committees having to be set up for the purpose.

MIRZA EJAZ HUSAIN, representing the All-India Muslim League.

1. *The Chairman:* You represent the All-India Muslim League in Delhi?—Yes, Your Lordship.

2. This document is approved by your League?—Yes.

3. Have you made any estimate of people who will be enfranchised under your scheme?—The idea is that under this extended franchise, will come more than 10 per cent. of the population.

4. Will it exceed 15 per cent?—Not quite as much.

5. I was just trying to get at what proportion will be enfranchised. Would it be between 10 and 15 per cent.?—Yes.

6. I see that you are against the group system ?—Yes, we think it is not practicable.

7. You are in favour of extending the franchise to every matriculate of an Indian University ?—Yes. As we have extended the franchise to all persons who have passed the matriculation, we think it is unnecessary to continue university representation as such.

8. I see that you are definitely and strongly opposed to any suggestion which would admit women to suffrage on any terms different from those applicable to men ?—Yes.

9. I think you recognise that if the qualifications for the vote are possession of property or payment of taxes in the form you recommend and in the form of matriculation examination, that will enfranchise very few women at all ?—We think that it (qualification) should be strictly the same. There is no reason for making any differentiation.

10. As a matter of fact your proposals will lead to the enfranchisement of hardly any women in practice ?—No. There are women who hold property.

11. But they are very few ?—To begin with it may be so. But in course of time there will be larger number of women voters.

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12. And yet you recognise that the instructions in the Prime Minister's letter and the idea of the Round Table Conference were that a considerable body of women should receive the vote under the new constitution ?—I think it will be difficult to make any distinction in practice.

13. When we turn to the Federal Legislature, you say that the qualifications for the Federal and Provincial Legislatures should be the same. You mean to say that the franchise should be the same because it will be very inconvenient to have different standards of franchise for the Provincial and Federal Legislatures ?—It will increase the work tremendously to have two different standards, and for convenience's sake I think we should have the same qualifications for the Federal and Provincial Legislatures.

14. That is convenient from the point of view of the administration, but obviously it is very inconvenient from the point of view of the member; and in view of the fact that his constituency will be enormous and he will have a very large number of voters to deal with, would it not be inconvenient ? Have you considered that side of the question ?—We did consider it. But I suppose there is no other alternative.

15. In most provinces we find that the recommendation is that, while the vote should be extended, it should not be extended to the same point as the provincial Legislature at this moment ?—I really do not see any special merit in making a distinction between the Federal franchise and the Provincial franchise.

16. And finally you think that there must be separate polling arrangements for some time for women ?—Yes, certainly.

17. *The Hon'ble Mary Pickford :* One of the reasons that you give as to why you are strongly opposed to enfranchising women on any terms different from men is that such a method has not been adopted in any other country and that this is being tried for the first time in India. Are you aware that it is not an accurate statement and that women who were admitted to the franchise in 1918, were so admitted not only on their qualifications but on the qualifications of their husbands ? —That may be.

18. If that has not led to difficulties and is not mere experiment, would you then withdraw your objection to a differential qualification and admit women who have not got property themselves or the property of their husbands ?—The ex-

tended franchise we have suggested is based not only on owning property but also on occupying property. I think most women will come under that.

19. We have evidence that very few women will come under that ?—Not as owners of property but as occupiers of property.

20. We have evidence that very few women in comparison with men will come in. Would you still object to carrying out the terms of reference and admitting a large number of women to franchise ?—If there is any real injustice involved in that, I would not be very insistent on it.

21. *Mrs. Subbarayan :* Are there any women on the All-India Muslim League ? —No, except one I suppose, Begam Shah Nawaz.

Sir Muhammad Yakub : She is a member of the League and also of the Council.

22. *Mrs. Subbarayan :* Is this memorandum from the League or from the Council? —This memorandum is from the working committee of the League.

23. And has that got a woman on it ?—No.

24. So it does not represent the views of the women ?—Unfortunately not.

25. *Sir Muhammad Yakub :* The Mussulmans would like to have franchise qualifications in such a way that would represent their population on the electoral roll ?—Certainly that is what we have stated in our memorandum, *i.e.*, that the population should be reflected, whatever may be the franchise, on the electoral roll.

26. And you do not mind if there are different qualifications for different communities ?—That is a very large question. The electoral roll should reflect the actual state of the population. To that end I do not mind whatever arrangements are made. The franchise should not be an artificial one which does not represent the real proportion of population.

27. As regards women's franchise, the All-India Muslim League probably thinks that the conditions in India are quite different from conditions in Europe and that even in England the females have got franchise only a few years ago, and therefore the All-India Muslim League thinks that in the matter of enfranchising women we should be very cautious, and we should try the experiment gradually ?—Yes. That is exactly what the feeling of the League is, that we should proceed very cautiously in the matter of giving franchise to women. I am also opposed to certain proposals made that local legislatures may co-opt women members. Let it come gradually.

28. And you think that if franchise is given to Muslim women, most of them will not be able to utilize it on account of their social or family traditions ?—Yes, it will take a long time before they can reconcile themselves to it.

29. Even if you give separate booths and female polling officers, do you think that Muslim females will come to such booths ?—I am sure not all. If there are separate arrangements, of course it will facilitate matters. But even with these arrangements, some conservative females will not go to the booths.

30. And without separate arrangements ?—There is absolutely no chance of Muhammadan women ever coming to the poll.

31. *Mr. Tambe :* What is the number of the working committee of the All-India Muslim League ?—25.

32. This (memorandum) was not placed before the Muslim League ?—Not before the Council of the Muslim League.

33. May I take it that you think that the Muhammadan community is so far advanced that the matriculation standard would bring in a good many on the electoral roll ?—Yes. Matriculation or any equivalent thereto. We will give franchise to those persons who are in a position to utilise it effectively.

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Memorandum submitted by the Governing Body of the ANGLO-INDIAN AND DOMICILED EUROPEAN ASSOCIATION, All-India and Burma.

(In reply to the amended questionnaire issued by the Indian Franchise Committee.)

This memorandum represents the opinion of the Governing Body of the Anglo-Indian and Domiciled European Association, All India and Burma, the only body fully representative of the Anglo-Indian community in India and can, therefore, be accepted, in the main, as the opinion of the community.

Before dealing with the specific points raised in the amended questionnaire we desire to offer a few preliminary remarks with special reference to the Anglo-Indian community.

It is unnecessary to detail the past civil and military services rendered by the Anglo-Indian from the early John Company days to the present time in regard to the development of India's commerce and industry, especially the building up of the Railway, Telegraph and Customs Departments. Abundant evidence of these services is to be found in every page of Indian history. Indeed it can be truly said that the Anglo-Indian is one of the pioneer communities in the development of India's commercial and industrial communications and as our European forbears to-day find it necessary to claim special representation in the legislatures to voice and protect their commercial interests, so, the Anglo-Indians, his offspring, but sons of the soil, isolated as they are from both European and Indian, an economic condition unparalleled in the British Empire, find it necessary to protect their economic interests by means of adequate representation in all legislatures. We desire to stress that, though numerically weak, the position of the community in the body politic of India is one of considerable economic importance; hence we feel that our representation on all legislatures cannot and must not be assessed on a population basis, but mainly on our economic position and interests in India. In brief, our claim to an adequate share in any extension of the franchise and representation in legislatures is based on (*a*) our literacy and the important economic position we occupy in India and (*b*) military service. We propose to deal separately with these two points.

(*a*) Literacy and Economic Position.

In certain Departments of labour *e.g.*, Railways, Telegraphs and Customs we occupy a large number of responsible appointments and are the only community in India which is cent per cent. educated. We attach considerable importance to education as a franchise qualification.

The Census Returns for 1921 and the statistics given in *Volume V Statistics of British India, 1921* show that:

I. (*a*) 1 European or Anglo-Indian out of every 150 is in the college stage;

(*b*) 1 Hindu out of every 3,773 is in the College stage;

(*c*) 1 Muhammadan of every 13,058 is in the College stage;

II. Of pupils in schools and colleges—

(*a*) 1 out of every 80 European and Anglo-Indian pupils is in the college stage;

(*b*) 1 out of every 91 Hindu pupils is in the college stage;

(*c*) 1 out of every 269 Muhammadan pupils is in the college stage.

III. Cent. per cent. of European and Anglo-Indian *boys* are being educated;

12 per cent. of Hindu and Muhammadan *boys* are being educated.

Cent. per cent. of European and Anglo-Indian girls are being educated.

1 per cent. of Hindu and Muhammadan girls are being educated.

We are unaware of the general educational advancement made in India as per the 1931 Census, but as far as university education is concerned we claim to have advanced during the past decade to an unrecognisable extent. Whereas in 1921

Memorandum by the Governing Body of the ANGLO-INDIAN and DOMICILED EUROPEAN ASSOCIATION, All-India and Burma. [*Continued.*

there were not many Anglo-Indians studying for degrees today there are hundreds. A comparison between the number of educated Anglo-Indians and other Indian communities would be of some considerable importance in support of our claim in this respect.

The 1921 Census Report shows there were in the whole of India and Burma 16 million Indian literates (males and females of 20 years of age and over) in vernacular, from elementary standards upwards and there were 1·7 millions of Indians educated in English. The same Census Report shows that the Anglo-Indian community is cent. per cent. educated. The 1931 Census will no doubt show an advance in both Indian and Anglo-Indian education. But, judged from the 1921 Census figures, it appears that there were 16·164 million Indian literates as against 0·058 million of Anglo-Indian literates which means Anglo-Indians constitute 0·36 per cent. of India's total literate population. The total English educated Indian population is 1·745 millions as compared with 0·058 million Anglo-Indians which means that Anglo-Indians constitute 3·32 per cent. of India's total English educated population.

If we make a comparative assessment of the economic valuation of our educational qualification with the rest of English educated India we find, from the 1921 Census Report, that about 2 million Indians are educated in English (15 years of age and over) both males and females, as contrasted with 70,000 Anglo-Indians. Of these 2 millions one million possess an elementary standard of English education. Therefore, from a higher wage earning point of view—Indian *vis-a-vis* Anglo-Indian —it is obvious that for about one million jobs which is an approximately correct total of all Government appointments demanding a secondary standard of education and over in English, there are, as competitors, one million Indians possessing adequate education and 70,000 Anglo-Indians, which works out at 7 per cent. in favour of Anglo-Indians. We, therefore, submit that, though we are numerically a weak community, our *pro rata* earning capacity and our value to the Indian Government as a taxable unit (excluding the expenditure we save the Government of India for the defence of the country by forming two thirds of the Auxiliary Force, the second line of defence of the British Army in India) stand very favourable comparison with those of any other community in India. Our only reason for stressing this point is the fact that other communities are claiming excessive weightage in legislatures on the ground of the percentages of the land and irrigation taxes they pay. In this connection we desire to invite particular attention to the fact that, in the sense in which it was construed by the Franchise Sub-Committee of the Round Table Conference and defined by the Chairman (*vide* page 89, Vol. VI of the proceedings of that Sub-Committee), the earning capacity and income of a community constitutes "a property qualification." We, therefore, feel that in these respects the claims of the Anglo-Indian community deserve consideration in the adjustment of the enlarged franchise now under consideration.

Ours is more an economic than a political problem but as politics and economics are inseparable and as the legislatures are, to a very large extent, being used by all Indian communities as a means of protecting their economic needs in regard to employment in Government services we feel we should be given adequate representation on all legislatures as our present representation is so microscopic that our voice can hardly be heard at all and in consequence we are being deprived to an alarming extent of our only means of livelihood, and in the very Services which the community, as pioneer workers, helped to build up under conditions less congenial than they are to-day and in which but a few decades ago we formed the vast majority.

In support of this claim we would invite attention to excerpts on this matter from the Report of the Indian Statutory Commission (pages 68 and 70) and would draw the Committee's particular attention to the concluding lines:

Memorandum by the Governing Body of the ANGLO-INDIAN and DOMICILED EUROPEAN ASSOCIATION, All-India and Burma. [*Continued.*

" As for Anglo-Indians, we should much prefer to see the choice made by election rather than by nomination, and the general level of literacy prevailing in this community is such that even where its members are few and scattered, the use of the post should make the method of election still possible. In so far as election is the course adopted, it seems inevitable that separate electorates must be formed; the numbers of the community are too small to make any other method feasible.

" As regards the number of Anglo-Indian seats, it should be borne in mind that the object in view is to secure to the community *an adequate opportunity of making its views known in the legislatures through suitable representatives; no question arises of trying to allocate seats on the basis of such factors as population and political influence.*"

On page 298 of the same Report the Commissioners state:

" We have one observation to make in regard to recruitment by the Central Government. In our first volume we have described the peculiar position of the Anglo-Indian community and its economic difficulties. Its dependence upon employment under the Central Government is due not only to its aptitude and capacity but to the policy of Government in the past. We suggest, therefore, that some special consideration should be shown to the community in recruiting for the Central Services with which it has a traditional connexion."

This shows that the Simon Commission not only admitted, but was fully seized with the importance of affording adequate representation to Anglo-Indians in the legislatures, irrespective of such determining factors as population and political influence.

In further support we would quote from the Government of India's despatch on the Simon Commission report (pages 30 and 31):

" We agree that as regards the number of Anglo-Indian seats the object in view is to secure to the community an *adequate opportunity of making its views known in the legislature through suitable representatives; and that no question arises of trying to allocate seats on the basis of such factors as population and political influence. The community is faced with very special problems of its own.* Its main interests may be summed up as entry to the Services and educational facilities. So far as concerns the former the field of employment which is of particular interest to the Anglo-Indians is to be found under the Central Government, especially in the Railways and the Telegraph Department..... But their educational problems fall within the provincial sphere, and we regard it as important *that they should be enabled particularly from this point of view to make known their needs* and their case. Subject to further investigation by the Franchise Committee we are disposed to accept the suggestions of the Commission for increasing the total number of seats allotted to Anglo-Indians and to think that wherever possible their representation should for the present be by separate electorates."

Further on pages 169 and 170 the despatch states:

" The Anglo-Indian community has in the past rendered very important services to the Railways and still holds a large number of posts in particular branches of railway work. *The economic life of the community is indeed to a large extent dependent on the opportunities of employment which the railways offer*, and its members are gravely apprehensive of what may occur, if and when any change takes place in the present system of administration and control. In view of the history of the community, a special obligation we think, rests upon Parliament, before relaxing its own control, to ensure, as far as may be practicable, that the interests of the Anglo-Indian community are protected.

We quote these pronouncements to indicate our singular position and difficulties and the precise interests which it will be incumbent upon the elected members of our community to promote and protect in the legislatures.

Memorandum by the Governing Body of the ANGLO-INDIAN and DOMICILED EUROPEAN ASSOCIATION. All-India and Burma. [*Continued.*

(*b*) MILITARY SERVICE.

We desire to stress the fact that, apart from the great military services we rendered in the early days of British occupation in India and the past Great War, we have been the mainstay of the old Volunteer Force, started about 70 years ago, which in 1916 gave birth to the Indian Defence Force which protected the internal security and peace of India during the Great War and which in 1923 gave place to the present Indian Auxiliary Force, the second line of defence to the British Army, of which we form more than two thirds. During the War the community gave 80 per cent of its manhood in the defence of the Empire, including its contribution to the Indian Defence Force which played such a conspicuous part in India at a critical time when it was denuded of almost all its British forces. We have stressed these military services because there are other well known minority communities belonging to the martial races who, though they are numerically weak as compared with other much larger communities, base their claims for a great measure of weightage in representation in the Provincial legislatures on military services rendered by them to India. On a population ratio we submit that the military services rendered to India and the Empire by the Anglo-Indian community is unparalleled in the Empire and we feel we could not emphasise these services in more forcible and convincing language than in the gracious message given by His Royal Highness the Prince of Wales and heir to the Crown of England when he received an Anglo-Indian deputation:

"Gentlemen you may rest assured that I now understand the conditions under which you live in India and the useful and honoured place which you fill as citizens in the Indian Empire. Your aims and aspirations have my sympathy. Your devotion to the cause of India, the land in which you live, and your desire to maintain an honoured place for her within the Empire do you credit. I shall watch the progress of your community with the closest attention. You may be confident that Great Britain and the Empire will not forget your community who are so united in their devotion to the King-Emperor and who gave such unmistakable tokens of their attachment to the Empire by their great sacrifices in the War."

Having placed these facts before the Franchise Committee we desire now to deal briefly with the position of the Anglo-Indian community in regard to (*a*) franchise, (*b*) electorates and (*c*) representation.

(*a*) FRANCHISE.

Few will deny that the extension of the franchise to people not capable of using their votes with any sense of discrimination is always unsafe, a fact that must be kept prominently in mind when dealing with any country where illiteracy is widespread and experience of Western systems of Government limited. It is notorious that the average voter even when he is keen and incurruptible is incapable of appreciating the value of administrative or legislative skill and to give a preponderating voice in public affairs to an uninformed electorate, by widening the suffrage in any extensively illiterate country, would be fraught with grave danger, for the more ignorant the masses are the more they tend to fall under the sway of a few designing men and dominant personalities.

Notwithstanding this view and having regard to the fact that His Majesty's Government have accepted the principle of a responsible Federal Government for India, we believe the electorates should be so widened as to be thoroughly representative of all sections of the Indian population and that no community, however small it be, should be deprived of adequate representation or be denied the means of giving full and free expression to its needs and opinions. We are, therefore, desirous of offering our humble tribute to the labours of the Franchise Com-

Memorandum by the Governing Body of the ANGLO-INDIAN and DOMICILED EUROPEAN ASSOCIATION, All-India and Burma. [*Continued.*

mittee and in doing so we are anxious to emphasise that the Anglo-Indian community wholeheartedly associates itself with all other sections of Indian thought and opinion in their demand that the time has come when the Franchise must be so extended as to satisfy the political aspirations of the peoples of India and that rural India with its labouring classes and Depressed Classes, as also the women of India, must be given a voice in the administration of the country. For too long have these been deprived of the right to have their voices heard and to represent their own constituencies and interests.

The Anglo-Indian community is cent. per cent. literate with a sense of responsibility which compares favourably with that of any Western community. And our submission is that, in respect of the Provincial and Federal legislatures, adult suffrage on the basis of literacy may be safely extended to the Anglo-Indian community. Considering the important role Anglo-Indian women play we are of opinion that the franchise should be extended to them on the same basis as in the case of men. There should be no bar to their election to seats on the various legislative bodies. The point that we desire here to emphasise is that the women of any one community in India, if sufficiently advanced and able to undertake such work as awaits them in the legislatures, should not be penalised because the women of other communities may be less advanced or in any way unprepared for adult franchise. At least 35 per cent. of our women are wage earners. They are cent. per cent. literate, are educationally as well qualified as the men and socially their equals in every respect. Furthermore we are one of the few communities in India whose females do not suffer from caste or purdah prejudices. We, therefore, ask that there be no franchise difference whatever between Anglo-Indian males and females. Being an entirely literate community we claim direct voting in our constituencies and consider the group system of voting not only unsuitable but unnecessary for us.

(*b*) ELECTORATES.

We are no less anxious than any other community to co-operate in the establishment of common electorates but the conditions that prevail at present in India and which are too pronounced to be safely ignored make communal electorates imperative. We realise that, when trust begets trust and caste barriers are broken down and the peoples of India show greater evidence of co-operation than at present and develop a national sense as a result of participation in common labours in the interests of an united India, it will then be time to consider seriously the institution of common electorates. We realise that there is a disadvantage in the communal system in that it inclines the representative to subordinate the interests of the country to those of his own community. We also readily admit that the perpetuation of communal electorates is the direct negation of nationalism but if we look at facts, as they are mirrored in the recent past communal happenings we feel we must admit that there is no alternative that is not attended with far more serious drawbacks under the present conditions in India.

We claim to be classed separately from the European British community. We admit that the interests of the two communities are in many points similar, but unlike the European our residence is of a permanent nature and we are sons of the soil and citizens of India. While in the past by our origin, tradition, culture, education and training, we have worthily upheld British traditions and ideals, which form the chief characteristics of the community and will continue to do so in the future, we claim in clear and unequivocal language to be one of the communities of India whose interests and aspirations are inextricably bound up with those of the rest of India.

We find that one of the factors which influenced the Franchise Committee (1918-19) in advocating our representation in the Provincial Councils and the

Memorandum by the Governing Body of the ANGLO-INDIAN and DOMICILED EUROPEAN ASSOCIATION, All-India and Burma. [*Continued.*

Legislative Assembly by nomination was the smallness of our population and the consequent difficulty of creating large enough constituencies. The Anglo-Indian Association drew the pointed attention of the Committee to the reasons which led to this state of affairs and laid great emphasis on the need for a clear definition of the two communities—"Anglo-Indian" and "European." We give below the definitions as accepted by the Committee:

1. "EUROPEAN."

"Every person of European descent in the male line, being a British subject and resident in British India, who either was born in or has a domicile in the British Isles, Canada, Newfoundland, Australia, New Zealand or the Union of South Africa or whose father was so born or has or had, up to the date of the birth of the person seeking registration as an elector, such a domicile."

2. "ANGLO-INDIAN."

"Every person being a British subject and resident in British India, of (*a*) European descent in the male line who is not comprised in the above definition, or (*b*) mixed Asiatic and non-Asiatic descent whose father, grandfather or more remote ancestor in the male line was born in the continent of Europe, Canada, Newfoundland, Australia, New Zealand, the Union of South Africa or the United States of America and who is not entered in the European electoral roll.

NOTE.—In applying the above definitions it is proposed that the declaration of an elector that he is a European or an Anglo-Indian shall be accepted by the Officer charged with the preparation of the electoral roll, unless he is satisfied that the declaration is not made in good faith, in which case the officer shall record in writing his reasons for refusing to accept the declaration of the elector."

We submit that these definitions are not only unsatisfactory, but misleading, and tend to lower the numbers of the Anglo-Indiar electors and swell the European electoral rolls. In the statistics supplied to the Franchise Committee (1918-19) and incorporated in the Committee's Report "Europeans" are classified as "European British Subjects" and "Anglo-Indian" as "Anglo-Indian". The term European British subject has been borrowed from the Indian Criminal Procedure Code. It includes every person of mixed legitimate descent who is of European parentage on the paternal side as is every Anglo-Indian. The use of the words "European British subjects" for electoral purposes has been injurious enough but this has been accentuated by its effect on the Anglo-Indian Census. Every Anglo-Indian member of the Auxiliary Force is a "European British subject" on which status alone he is enrolled in the Force. There are about 25,000 persons of mixed origin *i.e.*, Anglo-Indians who are members of the Auxiliary Force to-day and every one of these can and many do enrol in the European electoral roll as "European British Subjects." The perpetuation of this ambiguity will continue to give a fictitious strength to the European population and electorate to the definite loss of the Anglo-Indian population and electorate. We, therefore, submit that the Indian Franchise Committee should draw up clear cut definitions of "Europeans" and "Anglo-Indians" and so remove the ambiguity that obtains in the definition accepted by the Franchise Committee (1918-19). We would, therefore, suggest for the consideration and acceptance of the Indian Franchise Committee the following definitions:

"*European.*"

Every person of pure European descent on both sides and who is not a Statutory Native of India (*vide* Indian Councils Act 1870—33 Vic. C. 3.).

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"*Anglo-Indian.*"

Every person whose father, grandfather or other progenitor in the male line was a European and who is a statutory native of India,

and further that these two communities be classified as "Europeans" and "Anglo-Indians" instead of "European British subjects" and "Anglo-Indians."

We feel it would not be irrelevent if we here refer to the fact that our population, as given in the Census of 1921, was inaccurate as has been admitted by the Census Commissioner in his Report. For various advantages, mainly economic and social, many Anglo-Indians elect to declare themselves Europeans both for Census and electoral purposes. Realising this the Anglo-Indian and Domiciled European Association offered its assistance to the Census Commissioner in the compilation of the 1931 Census returns, and we are given to understand that in the 1931 Census there has been an addition of 22,000 Anglo-Indians to our 1921 Census totals. We are at present in communication with the Census Commissioner to prove the inaccuracies still existing in the 1931 Anglo-Indian population and the consequent exaggeration of the European population. The Census Commissioner himself accepts the likelihood that some 10,000 Anglo-Indians have elected to return themselves as Europeans.

Our detailed reference to this matter may appear to be outside the terms of reference of the Franchise Committee, but we respectfully submit it plays a most important part in the size of the Anglo-Indian electorates, because on these must depend ultimately the strength of the community's representation on the various Provincial and Central legislatures. It is for this reason that we request the Indian Franchise Committee clearly to define a "European" and an "Anglo-Indian." We further submit that our present electorates in the various Provinces do not by any means afford correct estimates of our voting strength and that our claim for greater representation in the legislatures on an electoral basis should not be assessed on the present strength as given in the Census Report or in the electoral rolls in the Provinces.

(*c*) REPRESENTATION.

In numerical comparison with the rest of India the community is insignificant even if correctly assessed and we have no desire to make any disproportionately large claim. All we ask for is adult franchise and qualifications which would ensure the return of candidates who would voice the interests of the entire community with adequate representation on the legislatures so that our voice would be heard and our needs recognised. This adequacy, we submit, cannot and must not be assessed on our numerical strength for this would not secure for us a single seat but on our past and present military services and our vast economic interests, which are inseparably welded with the commercial and industrial life and development of India. Indeed, the Federal Structure Committee of the Round Table Conference in putting forward certain tentative proposals for the allocation to the Provinces of British India of seats in the two Chambers of the Federal Legislature recognised that the population ratio which they had originally recommended as a guiding principle for representation would "not produce a satisfactory result unless tempered by other considerations." We submit that in our case these "other considerations" should take the form of adequate weightage so that we would have our needs attended to and our voice heard in all legislatures. The following table

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shows the representation we possess today, the recommendations of the various Committees and our demands as embodied in the Minority Pact.

Legislature.	Existing representation.	Simon Commission's recommendations.	Indian Central Committee's recommendations.	Minority Pact.
Bengal	2 elected	2 elected	4 (Joint electorate)	3/200
Madras	1 elected	2 elected	2 (1 Joint electorate)	4/200
Bombay	1 nominated	2 elected	2 (Separate electorate)	3/200
United Provinces	1 nominated	1 elected	3 (Joint Electorate)	2/100
Punjab	1 nominated	1 elected	1 (Joint Electorate)	1·5/100
Central Provinces	1 nominated. Shared with Europeans.	1 elected	1 (Joint Electorate with Europeans).	2/100
Bihar & Orissa	1 nominated	1 elected	1 (Joint Electorate)	1/100
Assam	*Nil*	*Nil*	*Nil*	1/100
Legislative Assembly	1 nominated	2 nomination or election.	3 indirect election	3/300
Council of State	*Nil*			1/200

We stand by the proportions stated in the Minority communities' Pact, as accepted by our representative Colonel Sir Henry Gidney and presented by him on behalf of the Anglo-Indian community to the Round Table Conference on the 13th November 1931.

Having detailed the needs of the community we now propose to deal seriatim with the revised edition of the questionnaire issued on the 11th February 1932, by the Indian Franchise Committee.

1.—PROVINCIAL LEGISLATURES.

1. EXTENSION OF FRANCHISE.

We accept the policy ennunciated by His Majesty's Government regarding the principle underlying responsible Federal Government, and we welcome the increase of the franchise so as to enfranchise not less than 10 per cent. of the total population (we understand this to mean British India, excluding Feudatory India and Burma).

(*a*) There are two means by which the existing franchise for Provincial Legislatures could be extended so as to include 10 per cent. of the population in the electoral roll:

(i) *Urban areas.*—We have no objection to an extension of the franchise in urban areas, though, in the main, we should prefer to secure the 10 per cent. level by extending the franchise in rural areas by the introduction of the Mukhi system. This extension would best be obtained by lowering the qualification in respect of income, municipal and house tax and extending the latter (house tax) to include all adults who either rent or occupy a house or part of a house.

(ii) *Rural areas.*—The franchise in rural areas could be extended by the lowering of chowkidari or Union Tax qualification. We would also recommend that the qualification of a road cess should not be assessed on the actual amount of cess paid by a voter, but on the difference between what he receives on account of road cess from the man below him and the amount he pays on the same account to the man above him.

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(*b*) Although we do not think that this proportion of the population would be able to exercise a very intelligent vote in the real sense of the term we consider that the time has come for extension of the franchise to this extent. These remarks refer especially to rural areas.

(*c*) We see no insuperable difficulties in providing for the administrative management of these enhanced electoral rolls.

(*d*) Does not arise.

(*e*) We do not consider it desirable to enlarge the electoral roll still further for we are of opinion that, for the time being an increase of the franchise to 10 per cent. of the population is quite large enough.

(*f*) We are in favour of introducing the " mukhi " or group system in rural areas and to a limited extent also in urban areas under certain circumstances,—for instance—in certain urban areas there are the skilled artisan classes, who, because they are not rate payers, are to-day disfranchised. We consider that this is inequitable and they should be given the benefit of the group system. Such urban group voters should be given the option of voting either in the urban constituencies in which they reside along with the direct voters or in the adjacent rural constituencies. In rural areas the group electors should vote in separate constituencies composed of group electors only. In expressing this opinion we realise the unsatisfactory position in which direct voters living in small towns in Districts will find themselves, surrounded as they will be by rural areas in which the group system prevails and we feel diffident to suggest any method of satisfactorily meeting this position.

(*g*) We are of opinion that in rural areas, where there will be separate constituencies formed of group electors, only group electors should be qualified to stand as candidates for such constituencies.

(*h*) We do not approve of the suggestions contained in this question.

(*i*) Does not arise.

(*j*) We would prefer that persons chosen by groups should possess qualifications even slightly different to those who constitute the groups *e.g.*, the ability to read and write in his own vernacular; we do not suggest that this should be an obligatory qualification. This may be considered too high a qualification in certain rural areas where education is almost unknown, but in these areas *e.g.*, the backward tracts, nomination of representatives, be they even European or Indian Missionaries, would be better than electing totally ignorant villagers. But we feel that the 1931 Census Report will reveal the fact that there are an adequate number of vernacular-educated people *i.e.*, literates, to satisfy this requirement.

2. FRANCHISE QUALIFICATIONS.

(*a*) We are of opinion that there is great disparity in the operation of the franchise qualification in urban areas as compared with rural with the result that there is over representation of urban areas. We believe this to be one of the chief drawbacks of the franchise system, as introduced by the Franchise Committee 1918-19, and we recommend that this should be rectified, We are of opinion that the qualifications—education, taxes and property—for urban electorates should be different from the qualifications for rural electorates. Indeed these two electorates should be totally distinct and apart, nor should one encroach on the other. We also consider that the extension of the franchise to 10 per cent. of the total population would be better done by lowering the qualifications for the rural than for the urban areas.

(*b*) We do not agree that each community should be given a voting strength proportionate to its numbers; nor do we accept the suggestion that the franchise should be so contrived as to secure this result. Such a system would place all

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minorities at a serious disadvantage, even though they occupy an important position in India from the political, commercial, economic and military points of view.

(*c*) Next to the acceptance of adult suffrage it would be difficult to avoid the demand for possession of property of some kind as a suitable test of fitness for franchise, and we are of opinion that this should be obligatory on every voter, rural and urban. We are of opinion that the term 'property' should be understood in its widest sense as including not only ownership of landed property, but also the occupation of land or house property or the receipt of income or wages, whether in cash or kind. We do not consider the existing property qualifications suitable We would make these considerably lower as suggested by the Franchise Sub-Committee of the Round Table Conference.

(*d*) We are in favour of introducing a qualification based on education independently of property. For urban electorates we would demand an educational qualification of a middle standard in vernacular or ability to read and write English. In rural areas we would suggest only from those persons chosen by groups the ability to read and write any vernacular; but this should be a qualification additional to the holding of property. From all others who constitute the groups we would demand a property qualification only.

(*e*) We are in favour of retaining the existing military service qualification. We are also in favour of extending it so as to include active members of the Auxiliary and Territorial Forces as also retired members of these two Forces. We would not demand any other qualifications from such electors, because we consider the qualification of military service carries with it a sufficient sense of discipline, general knowledge and responsibility to constitute a sound and useful elector and even a suitable member of the legislature.

3. WOMEN'S SUFFRAGE.

We appreciate the fact that the purdah system is still the chief difficulty facing any great extension of the franchise to Indian women. This varies with different Indian communities; in some it is absent; in others it is very rigidly observed; and its strict observance among Muslim women would, *prima facie*, place that community at a serious disadvantage if the women of India were given additional suffrage. But we repeat what we have already stated when dealing with Anglo-Indian women's suffrage: "The women of any community in India, if sufficiently advanced and able to undertake such work as awaits them in the legislatures should not be penalised because the women of other communities may be less advanced or in any way unprepared for adult suffrage"; and would only add that we believe the enfranchisement of women would not only have a stimulating and elevating effect on the entire franchise advance in India, but would give the necessary stimulus to a proper awakening of India's political conscience. We are accordingly in favour of giving to all women in India equal franchise rights with men. Indeed, there should be no difference whatever between them. We realise that, in accordance with Hindu law, Indian women are under the disadvantage of not being property holders, but this is essentially a legal matter that demands rectification and cannot be dealt with by the Franchise Committee, except by prescribing an educational qualification independently of property. We are in favour of having for urban and rural women electors the same electoral qualifications and systems of election as for men, *i.e.*, direct and group systems as previously stated under headings "Extension of Franchise" and "Franchise Qualifications." We realise that the women of some communities will object to being grouped with men electors in the same rural groups, and the purdah system will at times render it almost impossible to identify individual voters. Indeed it may open the way to wholesale impersonations and irregularities. Despite these obvious drawbacks which must be faced at the

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beginning we press for equal franchise rights for women, because, we believe that in a very short time when male electors realise the value of the votes of women, as they have been made to do in England, they will be the first to encourage their women folk to vote and this will, in itself, considerably help to rid India of her chief obstacle to national advance, by the emancipation of her women. In short we must make a beginning now and a beginning worth making is worth making well. If, however, it is found that a sufficient number of women have not been returned we would, as a temporary measure, accept the suggestion made in "3(*c*) Women Suffrage" that women members, to an extent not exceeding 5 per cent. of the Legislatures, be co-opted or nominated. This measure should be retained till there is strong evidence that Indian women are really anxious for closer co-operation, which we feel can be safely left in the hands of that daily increasing body of women social reformers in India.

4. REPRESENTATION OF THE DEPRESSED CLASSES.

Notwithstanding

(*a*) the fact that a correct census of the Depressed Classes is yet to be obtained and even then will be exposed to serious challenge;

(*b*) the fact that among Depressed Classes there are also their own depressed classes and untouchables;

(*c*) the illiteracy of the community;

(*d*) the annual decrease in their numbers by virtue of the fact that numbers of these classes are to-day readily seizing the many caste elevations that are being offered to them by various Sabhas; and

(*e*) the fact that in these classes are included the aboriginal races, those peoples inhabiting the backward tracts of India where education is practically unknown, we consider that the present method of representation of the Depressed Classes in the legislatures is inadequate and inappropriate and that it should be altered. As we are unable to supply the information regarding the communities included in the term "Depressed Classes," we should suggest that the various Provincial Governments be asked to give a full local list of those communities which should be so termed.

We advocate special electorates and are in favour of granting an extension of franchise, especially the group system of election, to the Depressed Classes, and though we admit that their universal dependence on and subservience to the wealthier and high class Hindus will, for some time, influence their freedom in exercising their franchise rights, we believe it is only by this means that these unfortunate people will be able to free themselves from the bonds of serfdom and racial barriers and so, in time, rise to the full stature of manhood and citizenship and be able to exercise their vote so as to elect members of their own choice. Indeed, it is more than likely that when that happy time comes there will be no depressed classes left in India for all will have been elevated by then. We, however, feel that there are certain areas, especially in the borders of India, inhabited mainly by backward and totally ignorant people who, at present, are wholly unfitted to be given the franchise. If it is the intention of the Committee to offer these people that franchise and representation on Legislatures (and we do not object to their inclusion), we would suggest for the serious consideration of the Franchise Committee, that, as there are always to be found in these areas a band of noble Missionaries whose aim and object in life are the elevation of these people, their representation in the Legislatures be secured by nominating one or more of these Missionaries—Indian or European—to the legislature. In any case we believe the time has come when political freedom should be ensured to the Depressed Classes and we consider that this can be most

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effectively and rapidly secured by granting to these people an extension of the franchise. Indeed, to secure this objective we would go further and suggest that special franchise qualifications be given all over India to the Depressed Classes so that a beginning may be made and the political conscience of these people be awakened and they be encouraged to play their part in the Government of the country, which they are denied to-day.

5. REPRESENTATION OF LABOUR.

Though we agree that labour does play and will continued to play a leading part in the future India and its legislatures and that its views will, in time, dominate all others, yet, owing to the variety of communities that constitute Indian labour and the present undeveloped condition of Trade Unions in the country, as also the diversity of communal problems and interests that permeate and control all essential economic labour problems, we are unable to see how separate constituencies can be given to labour—either industrial or agricultural—without, in all directions, encroaching on already existing communal and other constituencies—especially in rural areas.

As an instance:—take Railway Unions:—Members of these Unions consist of Hindus, Muslims, Indian Christians, Europeans, Anglo-Indian, Sikhs, Depressed Classes, Parsis, etc., each one of whom would most certainly [illegible] his or her territorial or communal electorate. The same remarks would apply to most other Trade Union. The case of plantation labour; to a certain extent, stand on a different footing for most of these people come from well known recruiting areas and in the majority of plantations have established a permanent domicile in the province in which they work. They do not suffer from the serious disadvantage of mill labourers whose personnel is constantly changing and who are usually controlled by politicians.

Being essentially a labour community ourselves we would lend our whole hearted support to any practical measures that would give labour separate and adequate representation in the legislatures, for this would be to our own advantage, but we believe that in the present undeveloped condition of Trade and Labour Unions in India the granting of special labour constituencies would not return actual workers as representatives on the legislatures, but outsiders and politicians who, as judged by the unfortunate recent labour disputes, have not truly served or represented the best interests of the labourer.

If, however, any practical scheme could be evolved which would give adequate representation to organised labour we would welcome it, but till such time as Trade and Labour Unions are placed on a sounder and more business like footing and develop a more representative and responsible character we would favour either a continuation of the present system *i.e.*, nomination in adequate numbers, or, as a temporary measure, that an adequate number of seats be reserved for and filled by members representing labour interests. As regards unrecognised agricultural labour we believe they will receive adequate representation in legislatures if the " mukhi " system is introduced in rural areas and if only group electors are accepted as candidates for such constituencies.

5A. REPRESENTATION OF SPECIAL INTERESTS.

We are in favour of the retention of special interests such as Universities, Commerce (European and Indian), Mining, Planting, Landlords, etc., in the legislatures. We consider the existing methods of election are satisfactory for all these special interests except Labour which, if it is found practical and if the fear of overlapping with other constituencies can be avoided, should be given much larger representation than hitherto.

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II.—THE FEDERAL LEGISLATURE.

6. ALLOCATION OF SEATS TO BRITISH INDIAN PROVINCES.

We are in agreement with the proportional provincial allocation of seats as tentatively suggested in the third report of the Federal Structure Committee to the two Chambers of the Federal Legislature. We recommend a considerable increase in the size of both the Upper and Lower Chambers of the Federal Legislatures.

As far as the Anglo-Indian community is concerned we claim 1 seat in the Upper and 3 seats in the Lower Chamber.

(*a*) Representation in the Upper Chamber should be by means of election by the Provincial Legislature by the single transferable vote, though we appreciate that such a system is likely to lead to anomalous results. Having so few members in each Provincial Logislature we suggest that the single seat claimed by the Anglo-Indian community in the Upper House be jointly voted for by the Anglo-Indian members of the various Provincial Legislatures and the member elected be considered as representative of the community in all India.

(*b*) While admitting that the franchise qualification will depend on the method of election decided upon we submit that in the event of direct election being adopted the franchise qualification for the Federal Legislatures ought to be different *i.e.*, higher than for Provincial Legislatures and we recommend that the present qualification for the Legislative Assembly and the Council of State be continued for the future Upper and Lower Chambers of the Federal Legislature.

(*c*) We are not in favour of election to the Lower Chamber of the Federal Legislature by territorial constituencies consisting of qualified voters who would cast their votes directly for the candidates of their choice. We submit that such a method would not only possess all the draw-backs and defects of the present system in operation for the Legislative Assembly, but would involve the creation of such large constituencies as to render it almost impossible for the member to maintain contact with all his electors. We are, however, in favour of indirect election for the Lower Chamber, because we believe this system has a decided advantage over direct election in that it serves to establish and maintain a direct connection between representatives in the Lower Federal Chamber and members of the Provincial legislatures, a connecting link which we feel sure will encourage smooth and harmonious working in the Federation, remembering always that our goal is not a Unitary form of Government, but that we are drafting for a Federation and that those who represent the various Provinces on the Federal Structure must strive to work as patriotic delegates of their Provinces rather than as representatives of separate constituencies.

As the Anglo-Indian community, with its singular setting over the face of India and the smallness of its representation, cannot depend on any one Provincial Legislature for its representatives to the Federal Legislature we suggest that our one representative in the Upper and of three in the Lower Chamber which we have claimed be elected by means of direct election jointly by the Anglo-Indian members in the various provincial legislatures—in other words these Anglo-Indian members would constitute themselves into an electoral college.

As an alternative we would suggest the creation of an Anglo-Indian electoral college of voters whose qualifications we would suggest should be

(1) over 21 years of age,

(2) educated,

(3) in receipt of a salary of Rs. 3,000 per annum or above or the payment of income tax on a similar amount.

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(4) All government servants including members of the Indian Auxiliary Force and the Indian Medical Department (in the latter Department only if adult suffrage is given to the community) be allowed to exercise his or her vote if otherwise qualified.

(5) Two days be allotted for voting to allow all voters employed on Railways, Telegraphs and Customs to exercise their votes.

(6) Election by post be allowed if adequate safeguards against malpractices be instituted.

(7) The Anglo-Indian and Domiciled European Association is prepared, as do the Chambers of Commerce to assist in the preparation of electoral rolls, etc.

7. REPRESENTATION OF WOMEN, LABOUR AND DEPRESSED CLASSES.

We have no further comments to make on the representation of women, labour and the Depressed Classes as we have dealt with them very fully in previous paragraphs.

8. GENERAL.

(*a*) The existing registers—*e.g.*, the income tax registers on which urban electors are very largely dependent for their names and addresses are not accurate or up to date. At one of the recent Anglo-Indian elections to the Bengal Legislative Council it was found that the income tax register contained the names and addresses of persons who had years ago gone to their long last rest. Reliable registers of voters is a very important matter and should be frequently scrutinised and kept up to date.

(*b*) Almost 20,000 or about one-fifth of the Anglo-Indian community work and reside in various parts of Feudatory India and generally live in reserved areas called "political" or "cantonment areas" under the direct and personal administration of Political Residents who in turn, are in political and administrative responsibility to the Government of India (Foreign and Political Department). Because these bodies of people are under the direct control of the Political Resident and reside outside the territorial limits of Provinces they have been entirely and absolutely dis-franchised and, to-day, have no right to register a vote, *e.g.*, there are more Anglo-Indians residing in Bangalore than in any other residential city in India and, yet, not one of these people enjoys the franchise. This loss to the community of about 20,000 is wholly wrong and we ask that this anomalous position be rectified and that such Anglo-Indians do receive their proper share in the franchise and representation in both Provincial and Federal Legislatures. A similar position obtains to-day in the present Legislative Assembly as far as the inhabitants of Berar are concerned. The 1919 Government of India Act has remedied this and we suggest that a similar procedure be applied to Anglo-Indians residing in political areas.

(*c*) *Administrative Machinery.*—As far as the Anglo-Indian community is concerned we see no insurmountable difficulties in the provision of administrative machinery necessary to give effect to the extended franchise we have suggested.

(*d*) *Peculiar setting of the community.*—We have alreay remarked that our community is wholly literate and in the extension of the franchise our difficulties will arise only from the fact that our members are dispersed over the length and breadth of this vast sub-continent. The greater part of our community, for instance, is employed in the Railways, Telegraphs and other All-India Services which involves residence away from the large cities. Many of these again, owing to the exigencies of their work, live in small colonies dispersed all over India, and it is this setting which renders the extension of the franchise in the community peculiarly difficult. Indeed, it is this which constitutes a serious obstacle under

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the existing constitution resulting in a large number of Anglo-Indians being unable to exercise their vote. We would instance the case of a driver or a guard on the Railway who, on the day when polling takes place, is out on the line, and is, therefore, unable to attend the polling centre. No facilities are provided for this elector to register his vote which is lost to his constituency, and we would add that at least one half of the manhood of the community work on the Railways, Customs and Telegraphs. No extension of the franchise would serve any useful purpose unless adequate provision were at the same time made to ensure the exercise of the electoral rights of these constituents.

(*e*) *Vote by post.*—To meet these peculiar difficulties of the Anglo-Indian electorate the Simon Commission in its Report proposed that use should be made of the post and this suggestion was made with due regard to the fact that Anglo-Indians were entirely a literate community. We would accept this proposal, but only if adequate safeguards against corrupt practices are absolutely secured.

(*f*) *Extension of polling days.*—We further suggest that the period for polling should not be confined to one day as at present, but should be extended by at least another day and the number of polling centres should be considerably increased.

P. S.—We realise that the system of indirect election to which reference has been made by us in II—The Federal Legislature, (6) Allocation of Seats to British Indian Provinces, (*c*), Paragraph 1, is open to grave abuse ; indeed we have heard it openly declared that to give such power to the Provincial Legislatures would be to expose the Federal Chambers to being packed with undesirables ; and perhaps it would be in the best interests of all concerned if election to the federal legislatures takes the form of direct election by means of electoral colleges.

Lt.-Col. Sir HENRY GIDNEY, Kt., M.L.A.,
Mr. C. H. F. PEREIRA
} **Representing the Anglo-Indian and Domiciled European Association, All-India and Burma.**

1. *The Chairman :* Sir Henry, you have prepared your memorandum in so full and complete a way and it is difficult to ask you any questions as every question is answered by anticipation. We have before us some correspondence between yourself and Dr. Hutton the Census Commissioner. In view of that what is your final estimate of the Anglo-Indians as opposed to Europeans ?—Nearly 200,000 Anglo-Indians.

2. What do you put the Europeans at, military on one side and non-military on the other ?—The men, women and children, non-military, would be about 65,000 ; the total, *i.e.*, military and non-military, would be about 140,000.

3. There are nearly 200,000 Anglo-Indians ?—I may say between 175,000 and 200,000.

4. I understand that the Anglo-Indian population is maintaining its increase in proportion to that of the population ?—From the recent correspondence I have had with the Census Commissioner it has increased about 20 per cent.

5. And that is a natural increase and not because of the correction of classification of the European and Anglo-Indian ?—No.

6. Illiterates amongst Anglo-Indians are negligible ?—Yes.

7. Supposing the franchise is extended between 10 and 20 per cent. which means that you reduce your property qualification in each province from 50 to 10 with the result that you do enfranchise the whole population. Would that

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together with education bring in every one on the register; in other words would there be any reason for making a differential qualification ?—I am very glad you have asked me that question. Owing to the present economic condition our army of unemployed has risen to-day to an alarming extent. It is not comparable with the last decade. Whereas as per the 1921 Census report in 1921 there were about 800 unemployed, from figures I have been able to obtain from very reliable sources in 1931 there are nearly 12,000 to 14,000 unemployed.

8. You also recommend the extension of the military qualification to the Territorial and Auxiliary Forces ?—Yes.

9. Do you see any reason why the rule as applied to the Army should not apply in that case also ?—It is a different matter regarding the Territorial and Auxiliary Forces because ⅔ of the Auxiliary Force are recruited from Anglo-Indians employed in railways. They are all Government civilian subordinates who enjoy enfranchisement according to their income tax as obtains to-day. My desire is to enfranchise the whole lot of them and accept such military service as a qualification. There is no official bar to-day to him exercising his vote and, therefore, on retirement, it would only enfranchise men over 55 years of age.

10. For how many years do they stay in the auxiliary force ?—Practically for the whole of their service in Government until placed on the Reserve. With the Anglo-Indian railway employee it is conscription into a volunteer force. Every Anglo-Indian or European who joins any railway in India has to sign an agreement that he is prepared to join the Auxiliary Force and he practically remains there for the duration of his service.

11. I suppose your case for representation in the Federal legislature is that the Anglo-Indian community is specially interested in employment in Federal service, like the Railways ?—As a matter of fact, two-thirds of the community are really employed in all-India Government services.

12. Can you explain a little more clearly what your proposal is with regard to an Anglo-Indian Electoral College in connection with the Federal Assembly ?—In that connection two suggestions arise; one is a contracted college consisting of Anglo-Indian members of the Provincial legislature who would constitute a small college of electors and elect members for the Federal legislature; and the other is a larger electoral college and which I favour, that is an electorate consisting of Anglo-Indians drawing a certain salary, say, Rs. 2,000 and more per annum together with certain other qualifications, who would constitute an electoral college and, among themselves, elect members for the Upper House. Our desire is to have quality and to confine this election to the better class of our community who would give a more responsive vote and who would know how to discriminate; rather than allow the general Provincial Legislature electorate vote for these members.

13. It is a special qualification for the Anglo-Indian community for electing whatever representation may be given in the Federal Assembly ?—Yes, and in making this suggestion of a contracted selective electorate we are anxious to help you.

14. *Sir John Kerr:* Unemployment would not effect enfranchisement under your scheme. That would come in under the educational qualification ?—Yes. I thought you were putting the two together. If you are prepared to enfranchise the community on the educational qualification, it would not touch them.

15. *Mr. Tambe:* With regard to the enfranchisement qualification, the Anglo-Indians live in towns rather than rural areas ?—I should be more correct in saying that half the number live in urban and half in rural areas.

16. I thought the Anglo-Indian generally resided in towns and by giving him more seats you would make the disparity bigger ?—That may be so but the economic protection applies to all and it would make no difference.

30th March 1932.] Lt.-Col. Sir HENRY GIDNEY & Mr. C. H. F. PEREIRA. [*Continued.*

17. You want 4 times the representation so far as the Central Provinces are concerned ?—That seat, as a matter of fact, has always been held by an Anglo-Indian. I am asking for two seats in the enlarged council for Anglo-Indians only.

18. You mean that if two speak it would have greater weight than one in an Assembly of 100 ?—Yes ; for instance, I am the only Anglo-Indian representative in the Legislative Assembly and I have to be a watch dog for the entire community and be constantly in my seat on the *qui vive*. If I am absent there is no one to take my place and any communal point may go by default.

19. You recommend indirect election for the lower Chamber of the Assembly ?—Not for the Anglo-Indian community. My postcript explains that. That is an alternative suggestion for an electoral college.

20. That is also not direct election ?—It would be quite different to the single transferable vote. That is what I really had in my mind in the P. S.

21. Even under your postcript you would recommend indirect election ?—Of that variety, yes. I have given my reasons under Federal legislature in (c) and I would add if you adopt the direct electoral system you would stand exposed to perpetuate an enormous constituency with which you cannot get into contact ; moreover, it seems to me that if you have direct election by constituencies in the various provinces for the Upper House and you also have direct election for the provincial council you are going to introduce such an enormous and complicated machinery that it will be almost impractical to work.

22. *Major Milner :* I gather you are in favour of the receipt of income or wages being considered as property and being a qualification for enfranchisement. What limits would you suggest ?—My colleague Mr. Pereira will be better able to answer your question (*Mr. Pereira*) : That would vary from Province to Province and area to area. I don't think it would be possible to lay down anything as a general rule. In some provinces you could fix Rs. 5 ; in others that would be too low.

23. It cannot be too low ?—I do think in some provinces Rs. 5 a month would be too low.

24. Do you anticipate any practical difficulty in such a franchise being given. The local governments I gather, or some of them, anticipate difficulty in putting wage earners on the electoral roll in that there is no record of the payment of taxes of those who are wage earners. Assuming we are to adopt this qualification, firstly, it is suggested that it should be the Government's duty to go from house to house and make enquiries and put those wage earners on the roll who are qualified ; the alternative suggestion is that wage earner should be asked to apply to have their names put on the roll a system which would minimise the administrative difficulties. Have you any views to express ?—I don't think so. That would be a solution for the present, except calling on the people to register themselves.

25. Do you think there would be any objection to that on the part of the wage earner ?—I don't think so.

26. So far as your own community is concerned, I imagine *ipso facto* it would enfranchise all ?—Except those for the present unemployed.

27. All the members of your community would be earning over Rs. 5 or 10 ?—Yes, if working at all. (*Sir Henry Gidney*) : The property qualification being reduced to 5 or 10 would certainly be the means of extending the franchise, because the rural voter would not only have produce worth Rs. 5 but he would have land.

28. *Dr. Ambedkar :* You were a member of the Round Table Conference ?—Yes.

29. Did you receive any representation from the depressed classes of the Central Provinces when you were there ?—Yes, from a responsible member of the depressed classes.

30th March 1932.] Lt.-Col. Sir HENRY GIDNEY & Mr. C. H. F. PEREIRA. [*Concluded.*

30. What did they ask you to do ?—I am afraid what I was asked to do would neither flatter you nor be a credit to you. They repudiated you as their leader and asked me to represent them at the Round Table Conference, because they did not like the idea of your voting against separate electorates, *i.e.*, your favouring joint electortes. They were in favour of separate electorates.

31. *The Hon'ble Mary Pickford :* When you say "equal franchise rights for women," do you mean the women should have the same franchise qualifications as men ?—I say that women should be given the same franchise qualification which would bring them on a level with men.

32. Again, the suggestion of a literacy educational qualification will favour all the women of your community but as you point out it will leave out a great deal of Hindu and Moslem women ?—Yes.

33. You say that you are willing that women should be co-opted or nominated. You know that there is considerable objection to both co-option and nomination and other proposals are put forward. I take it you are in favour of some reservation and you don't very much mind how they are reserved ? —I don't mind what measure is adopted so long as it is done and women secure equal rights with men.

Memorandum submitted by the LANDHOLDERS AND ZAMINDARS GROUP OF THE LEGISLATIVE ASSEMBLY.

In submitting this memorandum to the Franchise committee, we wish to make it clear that we have neither the desire nor the intention of standing in the way of such liberal reforms in the constitution as will be acceptable to Indian public opinion. Indeed we are anxious to promote by every means possible the expediting of such reforms both in the provinces and at the centre, as we are convinced that it is the only solution of the present unfortunate position in the country. We should also be grateful if the suggestions and recommendations contained herein are understood not as a special pleading for a class but as expedients conceived in the largest and the best interests of the country and its people as a whole. In any case that is the view point from which we have approached the problems to which we have here ventured to give a solution.

We have not answered every question of the Committee's questionnaire and if we have omitted to refer to some it is only because we feel we cannot profitably contribute to their solution.

EXTENDED FRANCHISE.

We realise that a widening of the franchise is both desirable and inevitable when much larger and more real powers of administrative control are intended to be given to ministers responsible to legislatures. We are unable to suggest any definite percentage of population which may come under the extended franchise ; we would fix only one limitation of administrative practicability. On this issue of administrative practicability it is obvious that governments and officers who have to work the electoral machinery are the best qualified to give an authoritative opinion. We would only suggest that there is a very real danger of the system breaking down by sheer weight if this is not borne in mind. Of the two evils of a limited franchise and a jerrymandeered election we believe the latter is much the greater.

INTELLIGENCE OF A VOTER.

The question of the intelligence of a voter is a thorny question and capable of varying answers whichever country is taken into considerations. We have no

Memorandum by the LANDHOLDERS AND ZAMINDARS GROUP OF THE LEGISLATIVE ASSEMBLY. [*Continued.*

reason to think that the extended franchise will produce an electorate different from the present.

GROUP SYSTEM.

We do not think that the system of group election would commend itself to public opinion. If it is intended to replace entirely the present method of franchise it is certain to be resented. There is not that entire absence of class feeling in any layer of society from the highest to the lowest which will reconcile a man of property being grouped with a pauper for the purpose of sending a Mukhi or secondary voter. If the group system is intended merely as a supplement to the directly enfranchised —and that we see was the intention of those who supported it at the conference— we still feel it will not be workable without splitting the village community into various castes and religious groups. It would further accentuate the factions in villages. It will not be advantageous either to the areas for we feel that either there will not be sufficient interest taken in these elections and the elections will become farcical or they will be so keenly contested as to foment greater ill-will in the villages. So far as political education is concerned there will be little scope for it. Above all it will be a leap in the dark—an experiment the results and implications of which cannot be foreseen adequately at present.

II. In some provinces there is a greater disparity than in others in the operation of the franchise qualifications in urban as compared with rural areas. We believe that by a proper adjustment of qualifications in the two areas this disparity can be largely eliminated. Where urban areas form constituencies by themselves the disparity is of little importance.

III. We realise that basing the franchise on property or payment of taxes would bring into the electoral roll very few women. We are of opinion that it is desirable to have enough women on the electoral roll to reasonably influence the course of elections. We are however of opinion that Statutory Commission's proposal as it stands would increase the number of women electors enormously and would necessarily react on the possibility of considerably extending the franchise to men. We would be prepared to face even this but for the obvious fact that a very large percentage of women so enfranchised would not take part in elections in many provinces for some considerable time. We would favour the wife-hood franchise as it has been termed, but would confine it to a smaller section than that contemplated by the Statutory Commission.

As regards the method of electing women to councils, we would leave the decision entirely to educated women and women's associations. We belive that it is here and not so much on the question of widening women's franchise that their opinion is essential and their co-operation must be secured.

IV. We have not got the materials which will enable us to state whether and how far depressed classes will be included in the new electoral rolls. We are however, of opinion that they should have adequate representation in the legislatures. These classes should include only those termed " the untouchables". We agree with the observations of the Statutory Commission on the method of representation and would consider it as great a wrong to them as to the general Hindu community which is awakening to its sense of duty to these classes, if separate electorates were formed for them.

LABOUR.

We have no intimate knowledge of industrial labour but we are in favour of a reasonable representation of this class in the legislature.

SPECIAL INTERESTS.

The representation of landlords and zemindars comes under the heading of special interests. In every provincial council at present landlords are represented by

Memorandum by the LAND HOLDERS AND ZAMINDARS GROUP OF THE LEGISLATIVE ASSEMBLY. [*Continued.*

special constituencies. The extension of the franchise only emphasises the need for continuing the system and not of changing it. But for the unfortunate recommendation of the Statutory Commission on the subject, we venture to state that the matter would not be in issue at all. The Commission appear to have been impressed by the fact that in many provinces landlords have secured additional representation through general constituencies. The fallacy of the argument is obvious. The fact that a member is a landholder in the legislature does not make him an advocate of the interests of landholders as a class. His loyalty to his constituency may and has in fact come into conflict with his loyalty to his class. And even if occasions for such conflict have been few in the past, they are bound to be much more frequent and inevitable in the future when electorates become more politically educated and demand a high degree of responsiveness from members to the constituency. By asking for special representation landholders do not intend to nor do they believe that they can effectively direct the policy of the legislature. All that they seek is to have a sufficient number of avowed spokesmen of the point of view of landlords in a thoroughly democratic House. We wish to be moderate and modest in our demands and would require the same proportion of seats to the total elected strength which prevails in the present legislatures to be maintained in any future and necessarily enlarged legislature. We would, however, add that in some provinces like the United Provinces and Bombay there has been grave dissatisfaction from the start of the Montagu-Chelmsford reforms that this class has not had adequate representation. We believe that necessary representations would have been made on their behalf in these provinces and we would respectfully request the Committee to consider them.

SECOND CHAMBER.

We are strongly in favour of a second chamber in every province without exception. Our representatives at the Round Table Conference urged this aspect of the question. To institute second Chambers in some provinces and not in others is to invite an early abolition of second chambers even in those where they have been instituted. We are keen on such second chambers not merely because they will to a certain extent prevent a violent alteration of vested interests but we believe they will be in the best interests of the country. A second chamber intended to delay the undue haste of the popular house in legislative matters, to give opportunities for second thoughts on grave and serious matters would we venture to believe be as great a boon to the general mass of Indian public opinion which is suspicious of violent changes as it will be desirable to the great propertied and commercial classes. The fact that the most advanced democracies have such second chambers must dispel the suspicion that their institution is somehow an undemocratic act.

Again we have reason to believe that main Indian politicians will prefer the institution of such a second chamber as contemplated above to the vesting of extraordinary powers in the Governor of a province. In fact the second chamber in every province is an absolute *sine qua non* for the successful working of the reformed constitution.

We have not examined in detail the composition of such second chambers nor their strength. We suggest that they should be between a third and a fourth of the strength of the popular House. They should consist of landholders of a certain status, commercial men of a similar status and public men who either by their service in Government or to the public have qualified themselves to be members of the upper House. Members who have held high judicial or executive posts and men who have held high honorary offices would be eligible. All these classes will be represented by election through appropriate constituencies.

FEDERAL LEGISLATURE.

We are not satisfied with the size so far as British India is concerned of either House. We would suggest 200 for the upper and 300 for lower chamber. We

Memorandum by the LANDHOLDERS AND ZAMINDARS GROUP OF THE LEGISLATIVE ASSEMBLY. [*Concluded.*

however accept the basis of division to the various provinces as fairly workable. Owing to a variety of conditions in the different provinces any method of allocation of seats is bound to be open to criticism and we feel that the present is as good as any alternative that can be thought of.

We accept the proposal of the Federal Structure Committee that the members of the upper house should be elected by provincial legislatures provided however that in every province there are two chambers ; otherwise the chances of a landlord representative being sent by a provincial lower house even on a single transferable vote system are not great.

Speaking generally we would suggest that the qualifications for the present provincial councils may form the qualifications for the electors to the federal lower chamber.

We do not think any form of indirect election to the lower house would be acceptable to public opinion and we favour direct election.

With the increase in the number of members that we have suggested to either House of the Federal legislature and with the larger electorate contemplated the size of the constituencies will be of much more manageable dimensions than at present.

We regret we are unable to offer any useful suggestions on other questions referred to in your questionnaire.

Being all members of the Central Legislative Assembly we would like to take this opportunity of expressing our thanks and appreciation for the great expedition which has characterised the work of your Committee. We believe you have correctly grasped the need of the hour. It is that the constitution should be inaugurated as early as possible and that the period of suspense may be ended. We should however like to add that mere provincial autonomy even if it is coupled with a promise at a later date of responsibility at the centre would be unacceptable to the public and would merely aggravate the situation. We would emphasise what was said by our representative at the Round Table Conference that the Government of India Act of the future must contain simultaneously provisions for provincial autonomy and responsibility at the centre and that we landlords are not only anxious but feel it absolutely essential that such responsibility should be conferred on the basis of an All-India Federation. If we have traversed beyond what was open to us we beg to be excused.

Raja Sir VASUDEVA RAJAH of KOLLENGODE, Kt., C.I.E., M.L.A.
Nawab NAHARSING ISHWAR SINGH, M.L.A.
Sardar SOHAN SINGH, M.L.A.
Mr. K. P. THAMBAN, M.L.A.
Mr. D. K. LAHIRI CHAUDHURY, M.L.A.
Mr. BHUPAT SINGH, M.L.A.
Sardar G. N. MAJUMDAR, M.L.A.
Kumwar RAGHUBIR SINGH, M.L.A.

Representing the Landholders and Zamindars Group of the Legislative Assembly.

(The Raja of Kollengode was the spokesman.)

1. *The Chairman :* The Landlords' and Zamindars' group in the Assembly is in favour of the extension of the franchise ?—Yes.

30th March 1932.] Raja Sir VASUDEVA RAJAH of Kollengode, and others. [*Continued.*

2. Would you suggest any limit, 10 per cent., 20 per cent. ? You have not put that in your memorandum ?—I think about 10 per cent. will be a reasonable number.

3. You are against the group system ?—Yes.

4. We come to the question of representation of landholders as a special interest. The point that concerns us most here is the representation in the Central Legislature. We have taken evidence with regard to the provincial legislatures in the provinces. I understand to-day there is one representative of landholders from each province in the Central Legislature ?—Yes.

5. What is the total number ?—8. Excepting Burma and Assam every province has got a representative. In our group we have about 24.

6. Who have come through other general constituencies ?—Yes.

7. What is the constituency ? How are they elected ?—All landlords and zamindars who pay Rs. 1,000 or more revenue. That is in Madras. It is different in different provinces.

8. I understand it is a higher qualification for the Assembly constituency than for the provincial ?—Yes.

9. Can you tell me the reason as to why the landholders claim special representation in the Central Legislature. The reason given frequently in the provinces is that the land question, tenants *vs.* landlords, has become very acute and with the extension of the franchise it is likely that the representatives would be more popular and therefore the land interests would require some special representation. I understand that under the new constitution land questions will not fall within the province of the Central Assembly but they will be dealt with by the provinces. Why do the landlords consider it necessary that they should have any special representation in the Central legislature ?—We form a conservative and stable element of the country and in the popular house, I think, their presence is essential as a sort of steadying influence. Sometimes legislation of a drastic nature which may affect our interests may be undertaken and there may be occasions when legislation affecting our interests may also be dealt with in the Central legislature such as, income-tax, taxing of agricultural income and so on. Apart from the safeguarding of our own interests, I think, it will be very desirable to have that steadying influence over other members. It will be very useful to have landlords there who have got a considerable stake in the country.

10. That is the main reason ?—Yes.

11. Stabilising element and protection of the landed interests ?—Yes.

12. What type of constituency would you propose ? Supposing the present system is maintained, would you propose the widening of the basis of the franchise for the landholders ?—We have mentioned that in this memorandum. So far as the landholders are concerned the same constituency would be quite sufficient.

13. Would you not propose the lowering of the qualification of the landholder voter ?—No.

14. Can you tell me what the number of voters there are for the Landholders' constituency in the Central Assembly ?—In Madras it is about 800.

(*Nawab Naharsing Iswar Singh*) : In Bombay it is 750.

(*Sardar Sohan Singh*) : In the Punjab it is 1,200.

(*Mr. Lahiri Chaudhury*) ; In Bengal it is 653 including lady voters.

(*Mr. Bhupat Singh*): In Bihar it is about 175 only, because the qualification is rather high. It is Rs. 5,000 revenue.

15. What would be the effect of reducing the qualification ? Would it bring in a larger number of landholders ?—It will. Smaller landholders may include also the tenant class who come by the other constituencies. If you lower it very much, I think, it will take in other people also. It will not be representation of landholders alone. Their interests will be essentially the tenants interests.

16. Your view is against reduction ?—Against substantial reduction.

17. Will there be any difficulty in the election ? How is it done to-day ?—In Madras it is by post.

(*Mr. Lahiri Chaudhury*): In Bengal it is different. There are polling stations there.

(*Nawab Naharsing Iswar Singh*): In Bombay there is the same system of polling.

(*Mr. Bhupat Singh*): In Bihar you can send in the vote by post. The signature must be attested by a Government officer.

18. I see you are strongly in favour of a second chamber in all the provinces ? —Yes, on the condition which has been stated in the memorandum.

19. What is the condition that you refer to ?—(*Mr. Lahiri Chaudhury*): We have said:— "We have not examined in detail the composition of such second chambers nor their strength. We suggest that they should be between a third and a fourth of the strength of the popular House. They should consist of landholders of a certain status, commercial men of a similar status and public men who either by their service in Government or to the public have qualified themselves to be members of the Upper House. Members who have held high judicial or executive posts and men who have held high honorary offices would be eligible. All these classes will be represented by election through appropriate constituencies."

20. How do you propose to do that ? How do you propose to find people of that special type—those who have held high judicial or executive posts and men who have held high honorary offices ?—(*Mr. Lahiri Chaudhury*): May I submit that for the Council of State also there is a similar qualification which covers *ex*-members of the local Legislative Councils or *ex*-judges of the High Court. Some such people are eligible to stand for the Council of State.

21. But you can't confine it to those people only. You have got to lay down a general qualification, namely, property, age and so on and this may be one of the qualifications ?—Yes.

* * * * * *

22. *Sir John Kerr*: You are not in favour of reducing the landholders qualification for the landholders' constituency ?—(*Raja of Kollengode*): No.

23. Is that because there is a difference between the interests of big landholders and small landholders ?—The big landholders will, of course, represent the smaller landholders also. Sometimes the landholders may not be real land-owners. They may be as our tenants are. Reduction may include such class of people. When they are elected as landholders they must be real landholders.

24. You don't want people who have other occupations besides ?—Not other occupation. They may be paying land revenue, but their interests would be quite different from the landholders.

30th March 1932.] Raja Sir VASUDEVA RAJAH of Kollengode, and others. [*Continued.*

25. Why ?—They may be tenants and we may be landlords. Their interests will conflict with the interests of the landholders. They are landholders in name.

(*Mr. Lahiri Chaudhuri*): I represent the Bengal landholders' constituency. There are 653 voters including ladies who are permitted to vote but are not eligible to stand as candidates They want much more representation in the Central legislature specially on the ground that there are interests in the Central legislature which may sometimes clash with the interests of the landholders in Bengal. We want therefore that the qualification for Bengal should be lowered.

26. You have got 653 at present, *i.e.*, about 20 per district ?—Yes.

27. Would you agree that the qualification should be lowered ?—Yes.

28. *Mr. Tambe:* Your reason for special representation in the Federal Legislature is that you are a conservative and stabilising element. You know that in the proposed Federation the Princes will be there. Do you consider that the landholders will be more conservative and stabilising than the Princes ?—(*Raja of Kollengode*): The Princes are more conservative in their own interests and they are concerned more with their own interests. I do not know whether they will take as much interests in things which concern us.

29. You won't be satisfied with that stabilising element ?—We would like to have our own men. The landlord class is a class between the Government and the masses. The Princes will care for their own interests.

(*Nawab Naharsing Iswar Singh*): As for the Bombay Presidency I have to bring to the notice of the Committee that we have got at present the Northern Division, the Central Division and the Southern Division. If there is only one seat for Bombay, the Northern Division will never have any chance of sending a member to the Assembly because in the Northern Division the number of voters is only about 140 while the Central and the Southern Division combined make about 450. If more seats are not allotted the Northern Division will have no chance.

30. Your point is that you want 3 seats for the Bombay Presidency ?—Yes.

31. *Diwan Bahadur Ramaswami Mudaliyar:* I understand that the franchise qualifications vary from province to province so far as the Assembly constituencies of landholders are concerned to-day ?—(*Raja of Kollengode*): Yes.

32. Taking Madras for instance, I understand that the franchise qualification for the Legislative Assembly vote is the same as for the landholders' constituency of the local Council ?—Yes.

33. The only thing is that all those 5 territorial constituencies are grouped into one territorial constituency ?—Yes.

34. Therefore whatever lower franchise may be adopted for the Zamindars, and Landholders' constituency for the Legislative Council, may I take it that you are prepared to accept that also for the Legislative Assembly ?—Yes.

35. With reference to the other provinces similar suggestions have been made to lower the qualification for the landholders' constituency. May I take it that the Group generally is in favour of accepting that qualification as the qualification for the electorate for the Legislative Assembly ?—Yes.

(*Nawab Naharsing Iswar Singh*): In Bombay we have different tenures. We have Sardars and then you have Inamdars, Watandars and so on. They hold all sorts of alienated land. There are two or three qualifications there, Our constituency is a sort of museum. You find Parsis, Anglo-Indians, Hindus, Christians, etc.

30th March 1932.] Raja Sir VASUDEVA RAJAH of Kollengode, and others. [*Continued.*

36. We have had all that evidence in Bombay. As regards your position in the Federal Assembly as a stabilising influence, my friend suggested that the Princes' representatives might be a sufficient stabilising influence. You are aware that British India questions may be considered separately and it will not be to the interests of the Princes representatives to do anything with that consideration of the British Indian questions ?—(*Raja of Kollengode*) : That was my fear.

37. You felt that you should have a voice yourself in British Indian matters ? —Yes.

38. As regards the second chamber, I understand, you are for a second chamber uniformly for all provinces ?—Yes.

39. You have given the reason that if a second chamber is instituted only for some provinces and not for others, the possibility is that in course of time the second chamber in those provinces also will disappear ?—Yes.

40. But if in some provinces both the Government and the people were opposed to it, do you suggest that irrespective of the opposition we should insist upon a second chamber ?—Except in one or two places there is no opposition. The Punjab Government I see says that no second chamber is necessary for them, but I don't think that that is the opinion of the people. I had a talk with some friends in position and they were all in favour of it. Take for instance Lala Ram Saran Das. He says, the people are for it. But, if in any particular place the people are definitely against it, we do not want to impose it on them. I do think, however, that it is very necessary to have a uniform system, for most of us are in favour of it.

41. My friend read a paragraph about the composition of the second chamber. I am reading another paragraph. " A second chamber is intended to delay the undue haste of the popular house in legislative matters, to give opportunities for second thoughts on grave and serious matters and would, we believe, be as great a boon to the general mass of Indian public opinion which is suspicious of violent changes as it will be desirable to the great propertied and commercial classes. May I take it that broadly speaking you advocate second chambers for this purpose ?—Yes.

42. That you don't want any wide powers which may bring the second chamber into conflict with the popular house ?—Yes.

43. That you would really have a second chamber as a sort of machinery to delay the undue haste of the popular house ?—Yes.

44. In your proposal regarding election to the Upper Chamber of the Federal House you accept the scheme of the Federal Structure Committee that it should be by the legislative councils on the principle of single transferable vote. You have said that you are prepared to accept that suggestion provided there are two chambers in each of the provincial councils and both the chambers combined exercise this right of single transferable vote. I understand that this suggestion is made because you feel that otherwise there may be no chance of landlords as such at all being represented in the Upper House ?—Yes.

45. *Mr. Chintamani :* Will you kindly give an instance or two where a landholder in the legislature representing the general constituency was faced with this problem of conflicting interests and say how he acted ?—There was legislation in the Madras Legislative Council concerning land when my brother Mr. Madhava Raja was a member thereof. He represented a general constituency and therefore in many matters he did not vote with the landholders' representatives although his own interests suffered thereby. Many a time the landholders' representative did not get even a seconder for his motions.

46. Are you quite sure that on those occasions your brother's personal opinion or convictions were not opposed to the opinions of other landholders ? Are you quite sure that he acted in the way you mention because he was returned by a general constituency ?—Yes.

47. Did he receive any general mandate from his constituency ?—He had to represent the class which elected him. The legislation which I mentioned was of an expropriatory nature and even then, even when he stood to lose very much along with landholders, he was not able to render us any help.

48. Are there other instances of a similar kind ?—Here, in the Legislative Assembly itself, my friend Mr. Prabhakaran Tamban who is, out and out, a landholder, on account of his loyalty and duty to his own constituency, does not vote with us on many occasions. When he joined our Party he made it a condition that in general matters he must have liberty to vote as he liked.

49. Surely you would not say that your friend was acting contrary to his Conviction ?—He is here, you can ask him.

50. I do not think I would put such a question direct. If you had not put it in that form I would have hesitated to put it even to you.

51. You assume that every member of a class must feel alike on a particular question. Is it not a question more of what he individually feels rather than what constituency he represents ?—In future the difficulty will be even more. If a representative of the general electorate did not vote according to the wish of that body, he would not be able to retain his seat.

52. You proceed on the assumption that there must necessarily be conflict in the points of view of the general mass of people and of special classes ?—In certain cases there will be.

53. It is only when landholders want special protection that there is likely to be such a conflict of points of view ?—We are not seeking to gain anything new. We want protection only to the extent that what we now have may not be lost to us.

54. You apprehend that where your vested interests are concerned, the general mass of people may not see eye to eye with your own class and that, on such occasions, the representatives of the people would not very likely support your exclusive special interests. Your claim for special representation is based upon that apprehension of the future ?—Yes. That is one of the reasons.

55. Then you say that all that the landholders seek is to have a sufficient number of spokesmen to put forth their point of view in a thoroughly democratic house ?—To place before them our point of view.

56. In that case it is not really the number that matters ; it is the ability of the spokesmen that is of real consequence. You do not then seek to influence the vote of the House. You only require an opportunity to get the House understand your point of view. If you want special representation only for this purpose, you would lay stress on the quality of your representatives than on their number ?—Both. There will be only a solitary member and he may not be up to the mark. We feel that we are meagrely represented and we want that in the future constitution there should be provision for giving us increased representation in the same proportion that the other constituencies get.

57. You have specifically stated that your object is to get adequate representation of your view ?—Yes.

58. You do not hope to affect the final vote of the House by your special electorate ?—No. That is impossible.

59. So, I suggest that it does not depend upon the number of your representatives so much as upon their quality ?—Both. I am personally of opinion that quality counts. Numerical strength also may be useful to the classes as well as to the others.

60. That is a different point. There may be an unlimited number in the hope that some of them may be useful to all ?—I should in this connection state that in some provinces like the United Provinces and Bombay there has been grave dissatisfaction from the start of the Montford Reforms that this class has not had adequate representation.

61. Do you suggest that there has been dissatisfaction that they have not got a sufficient number of landholders in the Council or that they have not got a sufficient number of landholders' electorates ?—It appears that in the United Provinces they have only 6 seats out of 100. That is a small number.

62. Is the proportion larger in other provinces ?—The United Provinces landholders want 8.

63. I am not speaking of the dissatisfaction of any particular class. You may take it from me that there is no individual or class who has not asked for more. That is admitted. Do you know that one class of landholders in the United Provinces numbering about 400 has, for each one of the landholders, 4 votes in a special landholders' constituency ? Have you got anything like that in the other provinces ? Do you say it is inadequate representation ?—(United Provinces representative) I belong to the United Provinces landholders.

64. You represent the Talukdars ?—The Talukdars of Oudh.

65. Sir Vasudeva Rajah, when you want special landlord electorate, do you want it to be direct election by landholders enfranchised in that behalf, or do you want representation to be through landholders' associations ?—Direct election, because there are not well organised landholder's associations anywhere yet. Further, associations like that would not include all the landholders of the province concerned.

66. The claim in the United Provinces is that indirect election through an association existing in Oudh for the Talukdars should be maintained and increased and that, in regard to the zamindars of Agra, the direct election that they now have should be abolished and made indirect through the associations ?—Yes.

67. As you represent the landholders of all provinces, what is your general view on the question of direct *versus* indirect representation of landholders ?—So far as Madras is concerned, I can authoritatively say that they want direct. Bihar and Orissa also want direct representation.

68. You do not approve of the claim of direct representation by associations ?—No.

69. On the question of second chambers, you have stated that the most advanced democracies have such second chambers and that you must dispel the suspicion that the demand for it is somehow an undemocratic act. I quite follow you when you refer to second chambers of national legislatures as in England or in other countries and we too have two chambers for the Central Legislature. But that is no reason why there should be two chambers for the provincial legislature. Will you tell me whether you know of many countries where provincial legislature

or subordinate legislatures like ours, are also divided into two chambers ?—Here we want them not only for the protection of our interests, but we do not quite approve of giving the power of veto to the head of the province, and be content with that. There may be several legislative measures passed in the provinces which may be wholly against our interests. On such occasions, the head of the Province may not be willing to veto those measures as he may not want to go against the wishes of the popular House.

70. That will still be the case if there are second chambers ?—We shall not rely so much on the vetoing power of the heads of provinces in such cases.

71. Don't you think it is better to carry public opinion and sentiment with you rather than to rely on second chambers and on the vetoing powers exercisable by Governors ?—Well, gradually perhaps, such a time may come. But I do not think we shall be able to carry public opinion with us for some time to come. Now, at any rate, we have to depend upon second or revising chambers to safeguard our interests.

72. Supposing there is tenancy legislation consequent on a general demand on the part of the tenants that their conditions should be improved and that they should have more statutory rights than they at present have, will landholders as a class oppose it as they have been doing ?—Yes.

73. Do you suggest that a second chamber which refuses to pass into law a bill that is passed by the first chamber, can long stand between the tenants and that law ?—It will give occasion for them to reconsider their position and it will delay, at any rate, hasty legislation enabling fuller consideration of the issues involved. That delay will probably enable us to influence public opinion.

74. You have not, I think, given sufficient weight to the point of view I have put forth. Anyhow, I do not want to press you ?—(*Nawab Naharsing Iswar Singh*) : The real safeguards of the landholder class can only be made by statutory safeguards. I do not think their real interests will be safeguarded by the second chamber. There must be statutory safeguards.

75. Suppose you have a fundamental law which will not be open to any legislature to alter or rescind, *viz.*, that the rights of private property shall be maintained, it will not be lawful for any legislature in India to pass confiscatory legislation. I suggest to you that you will have your primary safeguard in that and not either in your special electorate or in your second chambers.

* * * * * *

76. *Mr. Butler :* I am personally in favour of a second chamber myself. I just want to know from you whether you think it would be dangerous not to have a second chamber ?—I think it would be dangerous.

77. Would it be equally dangerous to force a second chamber on a province which does not want it ?—After all, the will of the people must prevail. But, personally, I do not think that the people will say that they do not want a second chamber. As far as my information goes, I do not think any one will say that he does not want a second chamber. It may be that some Governments may not have recommended it.

78. Another point of Mr. Chintamani is very important. Supposing tenancy legislation is blocked by the Upper House, etc. The object of the second chamber is not necessarily to block legislation, but to mend it ?—Yes.

79. The second chamber also will be representative of the nation as a whole ?—Yes.

80. Therefore there is no special reason why individual legislation of any sort should be brought in if the House is properly constituted ?—Yes.

81. In the Upper House the landlords may have the same proportion which they have now ?—Yes.

82. You base your franchise proposals on administrative practicability ?—Yes.

83. Have you any other consideration on which franchise may be based ?—Now we have about 3 per cent. of the population enfranchised. My proposal is to have 10 per cent. enfranchised so that it may not become suddenly very unwieldy and break down under its own weight. As gradually people get experience and take more interest in politics and as education also advances, franchise may be extended to 15 per cent. or even 25 per cent. I think it will be a mistake to enfranchise all people all of a sudden.

84. Can you give any principle for the expansion of the franchise besides the ground of administrative practicability ?—The present property qualification may be lessened I think by one-third or one-fourth. Literacy may be made one of the qualifications.

85. *Sir Muhammad Yakub :* Why do you want special representation for the landholders ?—(*Mr. Lahiri Chaudhury*) *:* It has been clearly stated in the memorandum.

86. Do you think your interests are different from the interests of the other classes of people ?—As has been stated in the memorandum, generally both interests do not go *pari passu.* There may be some occasions when these interests may clash. Therefore the landholders want some sort of safeguards just to save their own individual interests. That is the reason for asking for special representation.

87. You think there are certain interests in this country which require separate representation and safeguards ?—Yes, of course.

88. Do you hold the same views about the second chamber as Sir Vasudeva Rajah ?—When I have joined the deputation led by him, I may be taken to agree with his views generally. On this question of second chamber, however, I have got to differ from him. I do not think there will be any interest to be safeguarded by the second chamber. Second chamber can only delay hasty legislation. If we are to have a second chamber, it should be on the lines laid down in our memorandum.

89. You think that the composition of the councils would be such as would require some safeguards to check their vagaries ?—Yes.

90. Do you also hold the view which the Raja Sahib holds that it would not be advisable to enfranchise more than 10 per cent. of the population at present ?—I am for adult franchise.

91. So, on this point, you do not agree with the Raja Sahib ?—I want adult franchise.

92. *Diwan Bahadur Ramaswami Mudaliyar :* Mr. Lahiri Chaudhury, as a member of the landholders' association, what percentage of enfranchisement will you suggest ?—(*Mr. K. P. Tamban*) *:* He has nothing to do with that.

93. Are his views as a member of the landholders' association different from the views of his leader ?—(*Mr. Lahiri Chaudhury*) *:* I want that my representation should be adequate.

30th March 1932.] Raja Sir VASUDEVA RAJA of KOLLENGODE, and others. [*Concluded.*

94. I am asking whether your views as a member of the landholders' deputation are different from your personal political views ?—Yes, of course.

95. You do not want to give an answer to my question ?—My own political views are quite different, but as I have joined the deputation of the Raja Sahib in this particular case, I join with him in saying that the landholders' interests should be adequately represented. As regards the franchise, personally speaking, I want adult franchise.

96. *Sir Ernest Bennett :* You favour reasonable representation for labour in the legislature. Can you suggest in what way labour could be best represented ?—(*Raja Sir Vasudeva Rajah*): Our Association as such has not bestowed much thought on this question. But if you ask my personal opinion I will say that so far as labour is concerned, they may be given group election. I have not much knowledge of the conditions of labour.

Note on the Memorandum of the All-India Depressed Classes Association, by SWAMI ACHHUTANAND and Mr. BALDEO PRASAD JAISWAR.

I beg to submit the accompanying note on the memorandum submitted by Mr. Gavai on behalf of the All-India Depressed Classes Association written jointly by me and Mr. Baldeo Prasad Jaiswar. The note shows in what particulars the memorandum is incorrect. As the memorandum speaks on behalf of the Association, of which we are members, and as we do not agree with the memorandum and as the Association purports to speak in the name of the Depressed Classes of India, I think it is necessary that we should be given an opportunity to come as witnesses when Mr. Gavai is being examined on the memorandum. I hope that you will therefore make it convenient to call us before you and examine us.

We beg to draw your Committee's attention to the following parts of the memorandum submitted by Mr. Gavai.

1. The memorandum is alleged to have been framed in terms of the resolutions passed at a meeting of the Working Committee of the All-India Depressed Classes Association held in Delhi on the 21st and 22nd February 1932.

In regard to this we beg to state :—

(*a*) that we are members of the said All-India Depressed Classes Association ; Swami Achhutanand is the Vice-President of the central organization while Mr. Baldeo Prasad Jaiswar is the President of the local U. P. Branch of the Association.

(*b*) that we were present at the meeting that was held in Delhi on the 21st and 22nd February 1932. It was not a meeting of the Working Committee of the Associtaion. The letter of invitation which was issued on the 7th February 1932 said that it was proposed " to hold a conference of our leading men in the various provinces". And as a matter of fact it was not a meeting of the Working Committee of the Association as there were present at the meeting persons who had no connection with the Association.

(*c*) that the meeting was not called to consider the questionnaire of the Indian Franchise Committee. According to the letter of invitation the meeting

was called to consider "certain proposals of the Hindu Mahasabha regarding special representation of the Depressed Classes".

(*d*) that the questionnaire was not at all considered at this meeting of the leaders nor has it been considered by the Working Committee. Consequently the memorandum does not represent the views of the All-India Depressed Classes Association.

2. In the matter of the representation of the Depressed Classes the memorandum states "we consider that the Depressed Classes are not likely, through such general extension of the Franchise as indicated above, to secure representatives of their own choice in the general electorates, unless seats are reserved for them in those electorates on the basis of population."

This paragraph seems to have been worded somwhat ambiguously. It is not clear if it supports joint electorates as against separate electorates for the Depressed Classes. If it suggests joint electorates then we would like to state that this is not the view of the Association. The Association has always been for separate electorates. The leaders' conference at Delhi referred to in the memorandum did not pass any resolution in favour of joint electorates. On the other hand when the question of joint and separate electorates and the minorities pact was placed before the meeting for consideration by Rao Bahadur M. C. Raja it was stoutly opposed and the question had to be withdrawn as the weight of opinion was in favour of the view that there should be no change in the policy of the Association until a more representative conference of the leaders of the Depressed Classes from all Provinces had decided the question. The only thing agreed upon was to postpone consideration of the question till such a conference was convened. At the Delhi Conference there were no representatives from Bengal, Assam, Bihar and Orissa and there was only one representative from Madras, Bombay and Punjab.

SWAMI ACCHUTANAND
Mr. BALDEO PRASAD JAISWAR } **Representing the All-India Depressed Classes Association.**

1. *The Chairman :* Were you present during the discussions this morning ?—Yes, Sir.

2. I asked Rao Bahadur M. C. Rajah a number of questions about the position of the depressed classes. In the opinion of this Committee the question whether there should be joint or separate electorates for the depressed classes is not an important matter. What is important is that the general case of the depressed classes should be adequately presented on the ground that they are depressed or are suffering disabilities and that they require enfranchisement to enable them to secure representation in the legislatures adequately. Now, I do not think you will agree with the statement made by Mr. Rajah ?—No. I do not agree.

3. Would you tell me in what respect you disagree on the general position and claims of the depressed classes ?—Yes.

4. I understand that Swami Acchutanand is the Vice-President of the All-India Depressed Classes Association. Is it so ?—(*Swami Acchutanand*): (interpreted by Dr. Ambedkar). Yes.

5. Was he present at the meeting at which this memorandum is said to have been passed ?—He was invited to a meeting.

6. On what date ?—He says he has received this invitation to come and attend the meeting as Vice-President. The invitation was sent to the leading members of the depressed classes in the various provinces. It was called to consider the proposals of the Hindu Mahasabha. He went in response to this invitation. He was in Delhi between the 20th and 23rd February. He left Delhi on the 23rd February.

30th March 1932.] SWAMI ACCHUTANAND & Mr. BALDEO PRASAD JAISWAR. [*Continued.*

7. What happened at that meeting ?—He was present. There was no agenda circulated. They were not told that it was a meeting of the Working Committee.

8. Does he accept Mr. Rajah's statement as to the numbers and social disabilities of the depressed classes ?—What Mr. Rajah described about the depressed classes and their disabilities was in English ; he was not able to follow him.

9. *Major Milner :* You wanted to be given an opportunity to come before this committee. What do you want to tell the Committee ?—(*Mr. Baldeo Prasad Jaiswar*): To tell the Committee about the memorandum submitted by Mr. Rajah.

10. You want to speak on the memorandum submitted by him ?—Yes.

11. Do you want to express a view contrary to the view expressed by Mr. Rajah in the memorandum ?—No. That memorandum was not passed at the meeting. There was no meeting of the sort. There was a general meeting.

12. You were saying that you desired to tell the Committee that no meeting was held at all ?—There was a general meeting but there was no meeting of the working committee. Those resolutions were not passed at the general meeting.

13. The resolutions that were put before us this morning were not passed at any meeting ?—No.

14. What happened at the general meeting ?—It was decided there that in Nagpur during the *Holi* holidays there would be another conference, and it would be decided there.

15. Can you suggest any reason why another person should have been put before us this morning ?—I could not say.

16. Am I right in saying that you did not come perfectly disinterestedly merely to put the facts before the Committee ?—Yes.

17. Is there anything more than that ?—I do not know if there is anything more than that.

18. Would you just tell me in what way those resolutions differ from your views as representatives of the depressed classes and individual members of the Association ?—It is only on the question of joint and separate electorates.

19. You take a different view from that of Mr. Rajah ?—Yes.

20. Is there any other matter on which you want to put your views before the Committee ?—No.

21. *The Chairman :* They disagreed on this point which is outside the terms of reference to this Committee.

22. *Mr. Tambe :* Were you examined at Lucknow ?—Yes.

23. *Diwan Bahadur Ramaswami Mudaliyar :* Had you not seen in the papers this memorandum being supported by the working committee of the All-India Depressed Classes Association ?—I did not see it.

24. When did you become aware of it ?—On the 21st.

25. Who told you ?—I got it direct from a friend of mine in the mufassal.

26. Are you a member of the Working Committee ?—I am not.

27. And therefore if a resolution was passed by the working committee, you would not have been a party to it ?—When the date was fixed and the meeting was going on, I was present there, and there was no meeting of the working committee.

28. If you are not a member of the Working Committee, the working committee would not have met in your presence ?—I came to know that there were other meetings there. But there was no working committee meeting.

29. I take it that at the meeting where you were present the question of joint and separate electorates was discussed ?—No, there was only a discussion about the proposal sent by the Hindu Mahasabha.

30. There was the proposal of the Mahasabha which was discussed ?—The Mahasabha sent a proposal that seats might be given on a population basis. That was discussed.

31. You said that you have come here merely as a disinterested party to put the facts before this Committee ?—Yes.

32. If you had no disagreement on the question of joint and separate electorates, you would not have agreed to come before us now ?—No.

33. So you are interested in seeing your point of view before this Committee ?—Yes.

34. I do not like it to be understood as any personal question at all. Does he, Swami Acchutanand, belong to the depressed classes ?—Yes.

35. Is he a Hindu of the depressed classes ?—Yes.

36. Has he at any time changed his religion ?—(*Swami Acchutanand*) : Being a Sadhu, I have examined all the different phases of the different religions.

37. Am I correct in saying that at one time he was a follower of Islam and at another time of Christ ?

Sir Earnest Bennett : On a point of order, I do not think a man's changing his religion is a relevant matter.

38. *Mr. Chintamani :* Mr. Baldeo Prasad, you remember on what date you appeared before this Committee at Lucknow ?—On the 21st March.

39. And your present letter is dated 22nd March, the letter on the basis of which you are a witness here ?—Yes.

40. You have just said that on the 21st March when you were before this Committee, you did not know anything of the statement that was submitted by the All-India Depressed Classes Association ?—Yes.

41. And you learnt it in between the 21st and 22nd March ?—Yes.

42. When you sent this statement did you think it was enough that you contradicted what you regarded as misstatements in that memorandum, or did you think it necessary that you should elaborate those points here by coming once more before this Committee ?—I sent in that statement; and I thought that if it be necessary they might call me and re-examine me over that. If not, there was no necessity for it.

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Memorandum submitted by the Hon'ble Sir DAVID DEVADOSS, Kt., Member, Council of State, and Dr. F. X. DeSOUZA, Member, Legislative Assembly.

EXTENSION OF THE FRANCHISE.

(*a*) In order to bring 10 per cent. of the population on the electoral rolls, the franchise has to be considerably lowered. The Madras scheme of qualifications for voters in the Municipalities and District Boards may be taken as the standard as thereby 10 per cent. will be enfranchised.

PROPERTY QUALIFICATION.

(i) Those who pay Rs. 25 a year as house rent in urban areas and Rs. 10 in rural areas.

(ii) Those who pay any rate or tax to a Municipality or District Board.

Memorandum by the Hon'ble Sir DAVID DEVADOSS & Dr. F. X. DESOUZA. [*Continued.*

(iii) The holding of share or shares in a registered company or co-operative society of the face value of Rs. 200. Many of the labouring classes are beginning to appreciate the value of co-operative societies and the grant of the franchise will encourage the co-operative movement.

EDUCATIONAL QUALIFICATIONS.

(i) In the case of men, those who have passed the S. S. L. C. of Madras or an equivalent examination.

(ii) In the case of women, capacity to read and write any language. Capacity to sign one's own name is not literacy.

(*b*) The majority of the electorate will not be capable of casting an intelligent vote at present. The grant of the franchise will have an educative influence and in course of time they will come to understand the value of a vote.

(*c*) Such an electorate would be administratively manageable although in the beginning the voters' lists may not be satisfactory.

(*e*) For the present, No. It is neither desirable nor administratively practicable to enlarge the electorate still further.

(*f*) The group system is quite unsuited to the conditions in India. Firstly under such a system the franchise will lose all educational value and secondly the village rowdy or the village lawyer or the village headman will manipulate the electorate and will deprive the voter of the benefit of a direct vote. Moreover in cities it is not practicable. To decide what are villages and what are towns on the basis of population would not be easy. In Malabar the homesteads are scattered and grouping would not be practicable.

(*g*) Does not arise.

(*h*) No.

(*i*) Does not arise.

(*j*) Does not arise.

FRANCHISE QUALIFICATIONS.

(*a*) Yes. There is a marked disparity in the operation of the franchise qualifications in large cities like Madras and Bombay as compared with the villages in the two Presidencies. The remedy is by enlarging the franchise as suggested above.

(*b*) Yes. By having lower franchise qualifications in the case of Mohammedans and Indian Christians. This will be the case whether separate electorates are retained or joint electorates introduced with or without reservation of seats. In the case of depressed classes, the qualification for franchise will have to be lower still in order to bring 10 per cent. on the electoral roll.

(*c*) The possession of property is not necessarily a suitable test for the franchise. The Madras scheme of franchise with the addition of share-holding qualification and educational qualification would answer the purpose.

(*d*) Yes, as mentioned above.

(*e*) Yes.

WOMEN'S SUFFRAGE.

(*a*) We are against wives and widows having the franchise solely on the ground that the husband has or had the vote. Apart from the number of voters being doubled (or otherwise multiplied if the husband is polygamous) entailing further administrative work, the scheme would only give a plural vote to the husband as in the present state of society not one woman in a thousand would be able to exercise an independent discretion as to the casting of the vote. In the case of widows it

Memorandum by the Hon'ble Sir DAVID DEVADOSS & Dr. F. X. DESOUZA. [*Continued.*

would mean her having the franchise for life although if the husband had lived he might have lost it. If women are to have the franchise for educational qualification in addition to that for property qualification, for the present, sufficient number of them will be enfranchised. The educational qualification should be the capacity to read and write any language.

(*b*) We are against group representation of any kind.

(*c*) For the first two terms the Government may nominate 5 per cent. Afterwards women should come in by election. If seats are reserved for women the question has to be decided as to how many of them should be—

(1) Hindus,

(2) Mohammadans,

(3) Indian Christains,

(4) Europeans,

(5) of depressed classes.

REPRESENTATION OF DEPRESSED CLASSES.

We would not include classes other than untouchables as belonging to depressed classes and an answer to the second question is in the negative.

No. They should have a separate electorate. In a general electorate, the candidate who is acceptable to the majority community only will have a chance of success. One elected by such an electorate will not be able to represent the interests of the depressed classes effectively when they conflict with those of the upper classes. In the Madras Presidency in certain Districts the depressed class men and women are not permitted to pass through certain public streets, and have no access to drinking water wells and tanks under the management of Taluq Boards and District Boards and any attempt to throw them open to depressed classes is strongly resented by the Hindus. Would an elected member have the moral courage to go against the wishes of the majority community and if he did would he retain his seat for long? In the present state of things separate electorate is the only proper thing as it would make the depressed classes self-reliant and independent. The reason against grant of a separate electorate that sufficient number of qualified men would not be forthcoming is a lame one. We can confidently assert that unless they are given a separate electorate they will always remain in a state of helplessness.

We are against group system of any kind.

REPRESENTATION OF LABOUR.

No answer as we are not familiar with labour questions.

REPRESENTATION OF SPECIAL INTERESTS.

We are for representation of special interests like planting, etc. We are not in favour of special representation for Universities. Universities do not represent any particular interest and since 1920 Universities have multiplied in several provinces and allocation of seats would be difficult.

FEDERAL LEGISLATURE.

We are against indirect election. There should be direct election to the Lower House as well as to the Upper House.

For the Lower House, the electorate should be 1 per cent. of the population in order to have manageable constituencies and for the Upper House the electorate

Memorandum by the Hon'ble Sir DAVID DEVADOSS & Dr. F. X. DESOUZA. [*Continued.*

should be ½ per cent. of the population. The franchise for the Federal Lower House should be higher than that for the Provincial Legislatures and that for the Federal Upper House should be higher than that for the Federal Lower House having in view the percentage we suggest.

We are against indirect election of any kind.

GENERAL.

In the provinces of Madras and Bombay so far as our information goes no one belonging to the depressed classes has been elected to the Legislative Councils by the general electorate. The number of voters of the depressed classes was almost negligible. One uniform rule as to property qualification should not be enacted for all India. Each province should frame a scheme having regard to all the conditions prevailing in it.

In the Madras Presidency the very large majority of Indian Christians are strongly for retaining their separate electorate. The main reasons are:—

(1) There is a distinct clashing of interests between the Hindus and the Indian Christians in the matter of appointments and patronage.

(2) The missonary bodies maintain hundreds of primary schools all over the Presidency and boys and girls from the depressed classes are freely admitted to them. The policy for some time has been to stifle these schools by opening Board Schools where they are not wanted and to cut down the grant as much as possible. Recently the educational authorities reported that many of the Board Schools were unsatisfactory, the teachers were not trained men and the discipline was bad.

(3) Missionary secondary schools, High Schools and Colleges in which many missionaries, men and women, of eminence devote their lives to educational work are treated with step-motherly interest by the Government.

(4) There is an under-current of feeling in the minds of most Hindus that Christianity is a western religion and Christians have alien sympathies.

(5) The spirit of nepotism will be rampant if power and patronage get into the hands of people who regard Christians with aversion if not with hatred, and the Indian Christian community will cease to exist politically.

(6) Under the Montford Reforms the Indian Christians in the Madras Presidency have a separate electorate and they are very averse to that privilege being taken away. The Indian Christians who do not want a separate electorate are an infinitesimal minority and can be arranged under three heads:—

(1) Those who have subscribed to the Congress creed.

(2) Protestants who think that they have no chance of being returned by a constituency in which the Catholics are in a majority.

(3) Catholics who think that the priests exercise great influence at elections and prevent the voters from freely exercising their choice.

The Indian Christians are 1,752,671 in the Madras Presidency excluding the Indian States. In Travancore they number 1,603,098. In Cochin they number 333,041, and the total for the whole Presidency is 3,688,810.

The Protestants and Catholics may be half and half in the British portion of the Presidency although in some districts the Catholics are in the majority and in some other districts the Protestants are in the majority. Before Lord Southborough's Committee visited Madras, it was agreed between the leaders of the two sections of the community that the seats that ought to be allotted to them should

Memorandum by the Hon'ble Sir DAVID DEVADOSS & Dr. F. X. DESOUZA. [*Continued*

be equally divided between them and the written compact to that effect was filed before the Committee when giving evidence. In the first election under the Montford Reforms in 1920 the leaders stood by the compact but one who was neither a recognised leader nor had taken part in getting separate electorate, refused to be bound by the compact and contested the election against a Catholic candidate. In the subsequent elections both sections of the community ignored the compact and the result was, the defeated men began to say that they did not want a separate electorate. If the seats be divided equally between Catholics and Protestants and the constituencies be asked to elect alternately Catholic and Protestant candidates and if rules be framed to give effect to this arrangement, the cleavage between the communities will cease to exist and the present state of things will improve.

ADEQUACY OF REPRESENTATION.

The memorandum of the Madras Government gives the Indian Christians only 9 seats out of a total of 210. This is most unjust. In a Council of 98 elected members they have 5 seats. When the elected members are to be 210, surely the number of Christian seats should be more than doubled. The reason assigned in the case of Europeans, *viz.*, the want of an official bloc, equally applies to Indian Christians. The Indian Christians are a highly educated community and many of their women are graduates of English and American Universities. Considering the importance of the community, they should have at least 14 seats in the Madras Legislative Council and should have 5 seats in the Upper House if there is to be one of 50 members.

In Bombay the Indian Christians are a highly educated community and should be given 5 seats in the Legislative Council.

There should be adequate representation of Indian Christians in the Central Legislature. The so-called minority pact gives 7 seats to them which is certainly inadequate. There are 10 Provinces at present excluding Burma but including Delhi and North-West Frontier, and the population is nearly 4 millions. The Sikhs with a population of 3 millions are given 10 seats though they are all in one province. It is but fair and equitable that they should have 12 seats—5 to Madras Presidency and the rest to the other provinces. In the Upper House they are given only one seat. How is one to canvass among 250 millions is a problem which the Round Table Conference alone could solve. They should be given 5 seats, 2 to Madras and the rest to the other provinces. If Sikhs are to have 6 seats, on population basis, the Indain Christians ought to have more.

RESERVATION OF SEATS.

Reservation of seats for Indian Christians in a common electorate would be unworkable. Granting for the sake of argument that the Madras Government's recommendation is accepted, excluding the Mohammadan, European, Anglo-Indian and special interests seats, there will remain for non-Muhammadans, depressed classes and Indian Christians 126 *plus* 18 *plus* 9. The Presidency will have to be divided into 126 constituencies of which 27 will return two members. The question would be which of the 126 should return the 9 Christian members. The Presidency is divided into 25 districts and in each district there are Christian congregations. The nine double-seat constituencies can only be in 9 districts and the Christians in the other districts will not have the benefit of reservation and this will create heart-burning and discontent in the community.

In provinces like Bombay, Bengal, United Provinces and Punjab, where the Christian population is not so scattered but is concentrated in certain urban areas a joint electorate with seats reserved for Christians in those urban areas would be

Memorandum by the Hon'ble Sir DAVID DEVADOSS & Dr. F. X. DESOUZA. [*Concluded*.

workable and we would recommend them especially in view of the general expression of opinion in these provinces in favour of a joint electorate. Christians resident at a distance from those areas may vote in the general electorate.

In conclusion, we should like to draw the attention of the Franchise Committee to the composite character of the Indian Christian community. Mass movements towards Christianity in recent years in several provinces have given rise to the impression that the community consists mostly of the depressed classes element. Nothing can be further from the truth. In Madras and Bombay and to a less extent in Bengal and the United Provinces Christianity dates back several centuries ago and there were then large accessions to Christianity from Brahmins and other high caste Hindus. In any case even with the recent accession of the depressed classes, the standard of literacy among Indian Christians, according to the Census figures of 1921, is for Indian Christians per mille, men and women, 235 and 123; for Hindus 149 and 15 and for Muslims 74 and 18. The Simon Report (Volume I, page 32) states that one out of every five of the Indian Christians is literate—a very high percentage, second only to the Parsis and Buddhists, and in English education the Indian Christians are second only to the Parsis.

In Southern India generally and in the cities of Bombay, Karachi and Lahore the Indian Christians have gone in largely for higher education and hold important positions in spite of heavy odds in the service of Government, in the learned professions and in the mercantile world.

It is only fair that their place in the body politic should approximate more closely to their position in point of literacy, general education and to their importance as a community.

We would not have recommended a lower franchise for the Indian Christian community were it not for large mass movements towards Christianity within the last twenty years.

The Hon'ble Sir DAVID DEVADOSS
Dr. F. X. DeSOUZA, M.L.A. } **Representing the Indian Christians.**

1. *The Chairman:* Sir David, are you appearing in your capacity as a member of the Council of State, or are you accredited by any special body of Indian Christians?—I am not accredited by any special body. I got a telegram only yesterday from the Catholic Association giving their views. I am appearing as a member of the Council of State.

2. Do you represent the Indian Christians in the Council of State?—Yes; I am a nominated member.

3. And Dr. DeSouza?—I am a nominated member of the Legislative Assembly, to represent the Indian Christians.

4. Would you tell me the total Christian population of India?—(*Sir David Devadoss*): Roughly six millions including Indian States.

5. Is there a large Christian population in the Indian States?—Very large. For instance, in the Indian State of Travancore out of a population of about 5 millions, 1½ millions are Indian Christians. So that one man out of every three in Travancore is an Indian Christian.

6. What is the Indian Christian population in British India?—(*Mr. DeSouza*): 3,800,000, or very nearly 4,000,000. This is the figure for 1931. We have not got the Census report yet.

7. You say that for the whole Presidency of Madras the total Christian population is 3,688,810?—(*Sir David Devadoss*): Yes.

8. Does it include Travancore ?—It includes Travancore and Cochin.

9. Have you got the figures of the Indian Christian population for the rest of India, outside Madras ?—It would be 2½ millions outside the Madras Presidency.

10. What is the representation you ask for in the Central Legislature, the Senate and the Assembly ?—We ask for 12 in the lower House.

11. In a House of 200 ?—We take the figures from the so-called minority pact. We ask for 12 seats out of 200.

12. On what ground do you ask for such a large weightage as that ?—Your population is, I understand, 3,800,000 out of 270 and odd millions in British India.—We ask for it on two grounds. One is that there are about ten Provinces that have to be represented, and it will not be possible for a few people to represent all the Provinces. And Madras has a Christian population of 1,752,671, and we say that it is entitled to 5 seats. We say that if the Sikhs who are only 3 millions are going to have ten seats, the Indian Christians should have 12. (*Mr. DeSouza*) : Besides, the Indian Christian population is scattered all over India, whereas the Sikhs are concentrated in a particular province. If they are going to have ten seats in an Assembly of 200, we would ask for twelve.

13. Who has allowed that number to Sikhs ?—(*Sir David Devadoss*): That is the minority pact. All that we say is that we certainly should get more than what is allowed to us in the minority pact. That is our contention.

14. What sort of constituency would you propose ? I am not asking about the representation of Indian Christians in the Provinces. We are specially concerned about the representation of Indian Christians in the Central Legislature. You ask for twelve seats. How do you propose to elect Indian Christian members to the Federal Assembly ? What is the actual method of election you propose ?—Without trenching on the question of joint and separate electorates ?

15. I do not mind a little trenching on that. What I want to get at is the way in which it is proposed to elect the members. I want to know the method by which a small number of people, 6 or 12, are going to be elected in the whole of India, out of 200 members ?—The Provinces will have to be allotted so many seats each. Madras should be allotted 5 seats according to our contention. If it is a general electorate, 5 seats will have to be reserved.

16. How many seats are allotted to Madras in the Federal Structure Committee's report ?—32.

17. You want 5 out of 32 seats ?—Yes.

18. How do you propose to elect the members ?—By reservation of seats in the general electorate.

19. You will have 32 constituencies in Madras. How are you going to reserve 5 seats ?—5 out of the 32 seats will have to be reserved. That is exactly what we are trying to tell this Committee.

20. You say there should be reservation of seats ?—How do you propose to elect the members ?—Make the constituencies double-seat constituencies, and make each constituency elect two.

21. You would have multi-member constituencies ?—Yes.

22. The constituencies will be prodigious ?—Yes.

23. Do you want separate electorates ?—That is our contention so far as Madras is concerned. (*Mr. DeSouza*) : The Indian Christians in the south of India, the Madras Presidency, are in favour of separate electorates. I have been in touch with the leaders of Indian Christians in northern India, and they seem to favour joint electorates with reservation of seats. As for the question asked by you, as to how the members are to be elected, I would say this. I am speaking of the Provincial Legislature, and the analogy will apply to the Federal Legislature.

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If you allot 4 seats for Indian Christians in the Bombay Council, then we shall allot them only for the four constituencies in places where the Indian Christians are concentrated, say, Bombay, Poona, Karachi and Ahmedabad. There will be a general electorate with plural member constituencies, with reserved seats. As for Christians outside those constituencies, they will vote either in the general electorates, or, if they care to do so, they may vote in the four special constituencies. That is the principle which the Indian Christians of northern India will accept. I understand that in southern India they are solidly against the idea of joint electorates.

24. That system may work in Madras where there are a majority of Christians but when you come to the rest of the country how are you going to find a constituency on that basis which will practically work?—(*Mr. DeSouza*): It will be very difficult.

25. If the individual voters are giving the option of deciding whether he will be placed in a general constituency or a communal constituency, what view will your community take of that? Would they object to the option?—(*Sir David Devadoss*): If they are given the option I don't think they will choose the general constituencies.

26. *Diwan Bahadur Ramaswami Mudaliyar*: With reference to the last point the Chairman has raised, do you think the general electorate should have any voice at all with reference to giving option to individual members of your community?—(*Mr. DeSouza*): I think it is a right which is going to be conferred on the Indian Christians as such.

27. Broadly speaking it really comes to this; let us say the electorate will be Hindu. A Christian can come into the Hindu electorate whether the Hindu likes it or not and yet he can go to a separate electorate as well?—That is having it all one way; strictly, according to theory, the Hindu ought to be consulted.

28. Supposing the people are in favour of a joint electorate, would that change your idea?—At present we base our calculations on the actual number but if you are putting a hypothetical case, if a considerable number are co-operating to vote in a general electorate, I suppose the number of seats allotted will have to be reduced proportionately.

29. In the Federal legislature I suppose it would be possible to have the system of rotation of seats, to have seats reserved in one area for one election and another area for another election so as to give every one of the Christians a chance?—How long will it take to go round?

30. Once in 5 years? It may not always be a Christian but they will have a spokesman?—If they have a small minority their voice will not be heard. The candidate will try and place a Hindu who are in a large majority unless it be in some places like Madras. In other places I would not care for that.

31. Your whole memorandum is a complete castigation of my unfortunate community. I want to ask you if it is a fact that there is not a member of the Indian Christian community elected to-day?—No. (*Sir David Devadoss*): No Christian was ever elected by any Hindu constituency except Mr. M. S. Das of Cuttack, a man very well-known and a prominent lawyer and who was in the previous Council for 25 years and one Mr. Baptista.

32. Are you in a position to say how many Christians stood for election?—I know two stood in the Punjab. (*Mr. DeSouza*): As a matter of fact in the Bombay Council three were elected but that was under special circumstances owing to the boycott of the Council by the Congress. I may also add that in the elections for the Municipality in the city of Bombay the Indian Christians are doing very well and beating the Moslem and Hindu candidates. That is the reason, I take it, why

Bombay Christians are advocating joint electorates, because they have not had the same experience as Madras.

33. Dr. DeSouza has experience of Bombay. They have the cumulative vote. Do you think in a multi-member constituency of 3 or 4 the Indian Christians of Madras and Tinnevelly having the right of cumulative voting would have a chance of being returned ?—One or two may be returned.

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34. *Mr. Chintamani :* Under the heading " General " you complain that " the policy for some time has been to stifle Missionary schools by opening Board schools where they are not wanted, etc." Are you aware that the recognition of elementary schools is not done by the Department of Public Instruction and that instructions have been issued to those Educational Councils not to recognise any new schools where they are not absolutely necessary ?—That may be so, but are those instructions followed ?

35. Have you any concrete cases where they have not been followed ?—I could give you facts and figures of the number of schools almost crushed out of existence.

36. You have said that the policy is anti-Christian. I put it to you that the acts of the Government do not justify that impression ?—That may be your opinion.

37. Are you aware that Government has given several lakhs of rupees to various Christian colleges ?—(*Mr. De'Souza*) No. It is the duty of all Catholic parents to educate their children in schools where the Catholic religion and doctrine is taught and in the villages Board schools have been opened and the Catholic schools have been crushed out of existence and that is where the Indian Christian is suffering.

38. *The Chairman :* Do the Protestant Christians have the same feelings in regard to education or the alleged discrimination against Missionary schools which the Roman Catholic Christians have, or is it the well recognised attitude of the Roman Catholic population on the question of education in schools which causes the friction ?—The feeling has been voiced not so much by me as by Sir David Devadoss, but I do not think the feeling is confined to Catholics and Protestants. It is general. There is a tendency to crush education by refusing grants to these old schools and by recognising only Board school certificates.

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39. *Mrs. Subbarayan :* Is it not a fact that an Indian Christian was unanimously elected as President of the Legislative Council in Madras and he was succeeded again by another Christian ?—Yes.

40. Though the majority were Hindus and there were only 5 or 6 Christians ?—Yes, with the help of Government members.

41. Is it not a fact that the Hindu Ministers fought very strongly for the recognition of the claims of Indian Christians in higher services like the High Court bench ?—No.

42. That is the information I had from the papers ?—No.

43. If there are any new schools in areas where there are Mission schools, is it not partly due to the fact that there is a demand for more schools ?—That is true in some places.

44. And partly because the children of non-Christian families are also compelled to study the Bible and catechism and the Hindus do not like their children to attend these classes ?—Yes.

45. You have said that the colleges and schools do not get sufficient grants. Have not the St. Angus College at Mangalore and another Roman Catholic College,

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the Loyola College, come into existence after the transfer of the portfolio to a Minister ?—Yes, I was speaking more of Board schools in small towns.

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46. *The Hon'ble Mary Pickford :* I see that you wish to have it laid down in the electoral rules that the constituencies shall have to elect alternately Catholics and Protestants. Would that not possibly restrict the choice of the electorate in selecting a candidate ?—Otherwise there would be difficulty. If you divide the constituencies into Protestants and Catholics, there will be division for all time, whereas if you give an alternative choice, the best Catholic this year and the best Protestant next year, you will not create that division and in course of time even this will die out. It is for that reason that we suggest that. When in 1918 Lord Southborough's Committee visited it was agreed that the seats would be divided equally between the two sections. Unfortunately the number given was 5 and we agreed that the Protestants should have 3 and the Catholics 2 and the leaders stood by the compact but one who was not a leader stood and defeated a Catholic candidate. That gave rise to trouble. I approached His Excellency Lord Willingdon who was then Governor of Madras and he made it up by nominating a Catholic.

47. Does this difficulty obtain in other provinces ?—*(Dr. DeSouza) :* I don't think so. In Bombay, as a matter of fact, the Protestant Christians are very few, the majority are Catholics ; in the U. P. majority are Protestants, comparatively few Catholics. So that, the predominance of either the Christians or Catholics in every one of the provinces has prevented any clash of interests. It is only in Madras where they are in equal number that this clash is arising.

48. *Major Milner :* With regard to your suggestion about shares in co-operative societies, that is a very intriguing suggestion. What number do you imagine of the labouring classes hold shares in co-operative societies ?—*(Sir David Devadoss) :* I am myself the President of a Co-operative Society in Madras. There are about 1,200 labourers, mill hands, who have taken shares in the society. It is a co-operative bank—a loan bank. These people are now appreciating the value of co-operative societies. We suggested therefore that the possession of a share may be made a qualification.

49. Is there a large investment in other parts of the country ?—There is.

50. Have you considered of franchise being given to all wage-earners or wage-earners above a certain figure ?—We did not want to touch upon the labour question because it is a wide question. We have not devoted much time to it. But, a wage-earner who earns Rs. 20 or Rs. 30, ordinarily speaking, pays Re. 1 as rent in which case he would be entitled to be enlisted.

51. There are a great number of agricultural labourers who would not come under any such qualification ?—We suggest a lower qualification for the depressed classes and most of the labourers belong to the depressed classes. That is why we say a lower qualification ought to be adopted in their case.

52. But they have no land at all. They do not pay any rent or tax ?—No.

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Memorandum submitted by Dr. ZIA-UD-DIN AHMED, C.I.E., M.L.A.

1(*a*). I believe it will not be practicable *now* to secure 10 per cent. of the population in the electoral roll. In the first place minimum age for a voter would exclude about 36 per cent. of the population. If women, as such, are not given the right of votes, then the proportion of voters, even if we have adult made suffrage, will not exceed 32 per cent. of the population. Hence 10 per cent. of the population will

mean that we enlist one voter for every three persons. In view of the literacy and absence of political awakening, the proportion is too high. At present about 8 per cent. of the male population who are qualified to vote by virtue of the age and other qualifications are enlisted in the electoral roll. The number may be increased to 16 or even 20, but not beyond 20.

It would mean that the number of voters will be doubled or increased 2½ times. The increase in the quantum of voters may be secured :—

(i) By reducing the limits of income.

(ii) By adding educational qualifications.

The limits need not be fixed in an arbitrary manner but may be calculated from the figures.

(*b*) An electorate consisting of 10 per cent. of the total population or 30 per cent. of the male population who have attained the age of 20, or 21, will *not* be capable of casting an intelligent vote. I will give illustration for my own case.

(*c*) I suggest that the number of voters may gradually be increased. For the present it may be doubled. Franchise qualifications for local councils should be the same as for local bodies. It would simplify election.

2. (*a*) It depends upon the definition of urban. There exists at present great awakening in big villages or small towns, now included in notified area.

(*b*) It is only possible if qualifications for franchise may be different in different communities. This question does not arise in separate electorate. In mixed electorate, it is essential that the number of persons in electoral roll should be in proportion to population. The determination of income limits for franchise in each community will be a question of arithmetic.

(*c*) Yes.

(*d*) Yes. Vernacular Middle. Matriculation is too high.

(*e*) Yes.

(*f*) I am opposed to Group election. It will lead to corruption and the election will practically be in the hands of Patwari. Patwari now regulates all revenue suits. In group system he will regulate Council and Municipal elections.

Fixation of property, income or educational qualification is really equivalent to the election of Secondary group. I am afraid that the idea of primary groups contemplated in (*f*), (*g*), (*h*), (*i*), will be very unpopular.

3. I am opposed to women's suffrage. I do not exclude women from voting. They may be included in the electoral roll if they fulfil other qualifications, as at present.

We are opposing the official *bloc* on the ground that the officials do not vote and debate according to their conscience. The leader of the house holds the conscience of the official members. Similarly the husband has the political conscience of his wife. If you want to give two votes to a married man, then say so. Women suffrage will merely mean the award of special concession to married men in the form of second vote, instead of giving them special pension or reducing taxation.

In India the number of unmarried women is very small and the number of women who are themselves custodians of their political conscience is smaller still.

4. Depressed classes are not likely to share any representation, until seats are reserved for them and the qualifications are reduced to minimum. Any qualification of income, property or education will eliminate depressed classes in proportionately larger number from electoral rolls.

Election is a political education, and they will not rise from their position, unless they are given the rights of election. The question whether they should be merged among higher castes or given separate electorate, is a question which members of depressed classes can answer themselves. From the example of non-Brahman

movement in certain Provinces, it is evident, to my mind, that the progress of depressed classes will be quick by separate electorate than by mixed electorate.

5. I am not in favour of representation of special interests. These elections all degenerate into communal elections.

6. The number of seats in the Upper Chamber may be reduced from 120 to 100 and they may be elected by Provincial Legislature by a single transferable vote.

7. The number of members for Lower Chamber may slightly be increased. We should have at least two representatives from each Province, and the number for North-West Frontier Province should be increased from 3 to 4.

The members of the Lower House should not be the representatives of the Provincial Government, but they should be the representatives of the people. I, therefore, suggest that they should be elected directly by the people. The qualification for voters should be higher and should be so arranged that only 10 per cent. of the voters of the Provincial Council should be the voters of the lower chamber. In case it is found that the constituencies are scattered and election may be costly then I would suggest an intermediary course. I would suggest that the members of the Council and the members of the local bodies including Municipalities, District Boards, Notified Areas may form themselves into a group for electing members of lower chamber. This number will be sufficiently large and will represent the public interest. These members will not be especially elected simply to elect the members of the lower chambers. In any case I am opposed to a double election for the membership of the lower chamber.

The inclusion of Indian States in the federation of Provinces is not free from difficulties. Their federation will act adversely to the interest of British India and the interest of Indian States. The Indian States would influence the voting of the representatives of British India in the Federal Assembly and they would also influence their election by spending money. The British India subjects would not like an autocratic State to join them on equal terms. The conditions under which they should be permitted to join are:—

(i) The States should agree that their accounts are audited under the supervision of the Auditor-General.

(ii) Every State should have a Council consisting of elected and nominated members.

(iii) The members of the Federal Assembly should be elected by the people and not nominated by the Government, but by separate electorate.

(iv) The State treasury should be separate from the private purse of the ruler.

Dr. ZIA-UD-DIN AHMED, C.I.E., M.L.A., Representing the Muslim Group of the Central Legislature.

1. *The Chairman:* You say, it is not practicable now to secure 10 per cent. of the population on the electoral roll. What is the limit to which you would go?—My point about 10 per cent. is this. You will make a certain rule that persons below the age of 20 or 21 will not vote. That will exclude according to my calculations—I have not got the exact figures—36 per cent. of the population. Thus 64 per cent. are left. I am very strongly of the opinion that women as women should not have any franchise. That will exclude about half. 32 per cent. are left from among whom the electorate is to be selected. If you enfranchise 10 per cent. out of the total population, that means that 10 out of 32 will get the franchise, *i.e.*, one man out of 3. This, according to the present state, is very high.

2. You will double the present male number?—I will double the present number or increase it 2½ times.

3. You say women vote as directed by their husbands ?—The case in India is different from England. In England there is a large number of women who have got independent views. Here there are a very few. A large number of them would follow the dictates of their husbands. That means two votes for a married man and 1 for a widower.

4. Are you quite sure that women are not as independent as that ?—I think a large number of them would be guided by the opinion of their husbands.

5. Don't you think that the fact that they would get the right of casting the vote would make them interested in political questions in which previously they were not interested ?—I quite admit that. But the time to make a beginning has not yet come. The percentage of literacy among the women is at present 2. Till they make some progress in education, the percentage is increased to 4 or 5, the time will not have come to make an experiment. It is too early yet.

6. Would you make the experiment as far as literate women are concerned ?—I will not exclude women altogether from voting. If they satisfy the conditions that we lay down then they may have a vote, but not women as women.

7. *The Hon'ble Mary Pickford :* Might I ask if you are giving evidence in your personal capacity ?—I am giving evidence just now in my private capacity, but I have consulted some of the members of the Group and the views are shared by them, not in all the details.

8. The views on women suffrage are your own views ?—That is also the view of some other members whom I have consulted.

9. You would not give any further suffrage to women until they are better educated ?—No.

10. Do you think they are very likely to get educated so long as there are not many women electors and there are no women in the Council to put forward their point of view ?—They are making very great progress in the matter of education and there are quite a number of men who really advocate their cause. So, the time will soon come when this disability will be removed. Consider when they started in European countries ; there they hav egiven women suffrage only recently.

11. Do you not think that the grant of franchise would help them in education more than any other means ?—It helps in education if they have gone up to a certain stage. At present that stage has not been reached.

12. I see you say with regard to the depressed classes that election is a political education and the depressed classes will not rise from their position unless they are given the rights of election. Do you think that women are worse off than the depressed classes ?—There is some political education. I am not giving the franchise to everybody.

13. You advocate that as a method of education for the depressed classes you don't think that will be a method for the women ?—In the case of women, they depend upon their husbands, but in the case of depressed classes there is no such dependence.

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14. *Sir Muhammad Yakub :* You say that if there are separate electorates then the question of having the number of Muslims on the electoral roll in proportion to the population is not very important ?—I say, in principle, that in the case of the mixed electorates it is essential that the electorate should be in the same proportion as the population, but in case of separate electorates this question is not very essential. In view of the fact that separate electorate is a passing phase and not a permanent feature, it will very much smoothen the way for the future if we make a start from the very outset and have our electorate in proportion to the population.

15. So whether the electorates are joint or separate, it is essential that the Muslim population should be reflected on the electorate ?—In order to pave the way for mixed electorates in the future.

16. You have experience of the local Council and the Legislative Assembly, can you tell me whether any measure introduced for the welfare of the women was opposed by the men ?—We always supported the cause of women's education. I am a very great advocate of women's education myself. The thing is that it will take time. You can't get over the consequences of *purda* in no time. We have not got women teachers. It will take some time. It cannot be done all at once.

17. *Mr. Butler :* You say 10 per cent. electorate will not be capable of casting an intelligent vote and you will give illustration for your own case. What is the illustration ?—That was the case of an illiterate voter who came to vote in my presence. There was a polling officer and the voter came in and the polling officer asked him whom he would like to vote for. He replied with folded hands ' anybody whom you would ask me to vote for.' When the polling officer told him that he should name the man he said, ' please put down your name.' That was the reply he gave.

18. Do you think that that is very general ?—This thing happened in my presence. Similar cases happen though they are not very general.

19. *Lord Dufferin :* You say somewhere that you are not in favour of representation for special interests being retained because such elections are turned to communal purposes ?—Yes. I am individually not in favour of any special electorate because my experience is that most of these electorates degenerate into communal electorates.

20. What exactly do you mean ?—Members belonging to one community vote for persons belonging to that community.

21. I still don't quite see your point. Take special electorates for labour, for instance. Why should that degenerate into communal electorates ?—I do not recognise labour as a special interest. In India we have not reached that stage.

22. Take landlords ?—Take the University. Persons belonging to one community naturally vote for the person belonging to that community.

23. *Mr. Bakhale :* Most of the local Governments have stated that enfranchisement of the population to the extent of between 10 and 15 per cent. is practicable and feasible. Do you accept that view ?—They have not considered that if you exclude those below 21 you will exclude about 36 per cent. Then 64 per cent. are left. Out of that 64 per cent. women go out and then 32 per cent. are left. Giving 10 per cent. franchise out of 32 per cent. really means 33 per cent. franchise which is very large in the present stage of development. It is a sudden jump.

24. But the local Governments have stated that it is perfectly feasible and practicable ?—That is their opinion and this is my opinion.

25. That is an opinion based on administrative experience ?—If you object to my argument give me figures. I have given you statistics of those who will be qualified to vote. That is 1 out of 3.

26. If it is found after a careful examination of the figures of the population that will be enfranchised that 10 to 15 per cent., roughly speaking, is possible, would you go in for that ?—I can't believe that that is possible unless it is shown that the calculations that I have made are wrong.

27. Assuming that it is practicable would you agree ?—Do you agree that women should have a vote ? That is a thing on which I do not agree. The second thing is do you agree that persons of the age of 1 and 2 also should vote ? I do not agree. If these two things are taken into account my figures are right.

28. *Major Milner :* The only reasons you give for not granting the franchise to 10 per cent. of the population are the illiteracy and the absence of political

awakening in the population ?—Yes. The point is that if you give franchise to 10 per cent. of the total population, it really means that you are giving it to 33 per cent. and that I consider to be a very big jump.

29. Don't you agree that the standard of literacy and political awakening would be no worse amongst those to whom you do not propose to give franchise than amongst those who are receiving it ?—No. Franchise I will give on the ground of income, capital and education. In case we fix the limit that I suggest a great number of people will come in and after experience we may still lower the limit.

30. Do you think that political intelligence should be graded in accordance with the income of the individual ?—Income, capital and education.

31. If your proposals were accepted in any form, every workman, every single wage-earner in the country would be disfranchised. None of the urban or rural working class, according to your proposals, would receive the franchise ?—They would be enfranchised. A number of labourers will get the vote. I suggest somewhere that the qualification for voters must be the same as for Municipal Boards and District Boards. A large number of workmen are electors in these bodies. If we double the number of voters or increase it 2½ times probably a still larger number of workmen would come in. Only those who have no intelligence may be left out.

32. Are there many of that type on the rolls today ?—The rolls at present are prepared on the qualification of income only, and it includes a large number of workmen.

33. Are there many on the rolls today who are not literate ?—A fair number of those who are illiterate are on the rolls. I should think something like 25 per cent.

34. *Mr. Tambe :* Do all the Muslim members of the Assembly belong to the Muslim Group ?—That is not a party in the Assembly or the Council of State. It is outside.

35. I gather that you are in favour of the abolition of *purda* ?—This is a question on which I have not expressed my view. I would very much like to do that but I have no control.

36. You are in favour ?—If we could help it. But I doubt even if I asked my own daughter to come out she would agree to it.

37. Do you think enfranchisement of women would help that ?—Enfranchising women is almost useless. For example, a large number of females among the Muslims, whether you enfranchise them or not, will not come out and vote unless the husband directs them to vote in a particular manner.

38. You say "from the example of non-Brahmin movement in certain provinces, it is evident to my mind that the progress of depressed classes will be quick by separate electorate than by mixed electorate"?—That is my impression. I am not an authority on that point.

39. I am sure that your information is that these non-Brahmins have separate electorates ?—Yes.

40. May I tell you that non-Brahmins had never had separate electorates but they had joint electorates. You say that these elections for special interests degenerate into communal elections. Do I rightly understand you if I say that you think these communal elections are a degeneration ?—The ideal is that we should have no communal questions in any country. Unfortunately the ideal cannot be attained.

Memorandum submitted by the ALL-INDIA CANTONMENTS ASSOCIATION.

The All-India Cantonments Association is the only body that represents the Cantonments of India. It came into existence in 1919. It works on the principle of "co-operation" with the Government and that principle is embodied in its

Constitution. It has 58 affiliated branches. The Association with its Branches is recognised by the Government of India *vide* Army Department letter No. 2486-A. D. 4, dated 11th September, 1929. It publishes a Journal called the "Cantonment Advocate" which was bi-monthly for some years and is now a monthly. The Headquarters of the Association ever since its start, are situated at Ambala Cantonment. Every year or every second year as may be necessary in consideration of the political needs of the Cantonments of India, the Association arranges a session of the All-India Cantonments Conference. So far nine sessions have been held, two at Ambala, one at Poona, one at Meerut, one at Rawalpindi, one at Lucknow, one at Jubbulpore, one at Lahore and one special session at Delhi.

POPULATION OF THE CANTONMENTS AND ITS CHARACTER.

The civil population of the Cantonments is about one million. When the Cantonments were originally established, this population consisted of such kinds of people as were required for the needs of troops—mostly followers. Gradually the military authorities felt the need of making the Cantonments self-contained centres, with their own Bazars, markets and places of recreation, etc. Businessmen, tradesmen and all classes of people found in cities were invited and encouraged to settle in Cantonments. In addition to these, a very powerful and inportant class of House-owners sprang up in every Cantonment. The Government wanted bungalows for the residence of Military Officers. Either becuase the Government had no funds at that time to embark on the gigantic scheme or because its policy was to encourage private enterprise in that direction—whatever the reason,—special inducements in the shape of free grants of land and other facilities were given to the people who consented to invest their money in building houses for Military Officers. Cantonments being more sanitary and safe and open than cities people were attracted to them for that reason as well, with the result that at the present time, there are some very big Cantonments in India with Bazar Areas having large civil population as advanced as that of the neighbouring Municipalities. The most important class in this population, is the class of "House-owners" who have enormous amounts invested in House property in Cantonments.

DUAL ADMINISTRATIVE CONTROL OVER THE CANTONMENTS PEOPLE.

In the matter of general Administration, the Cantonments are under the control of the Local Government, within the jurisdiction of which they are situated. What is called Cantonment Administration proper, is controlled by the Government of India in the Army Department, through the Command concerned. The Cantonments Act and the House Accommodation Act which govern the Cantonments Administration are enacted by the Central Legislature and the numerous rules to be framed under those Acts—as important as the provisions of the Agents themselves—are framed by the Government of India. The local administration of a Cantonment is entrusted to an Elected Cantonment Board, if the Cantonment is fairly large, to a nominated Cantonment Board, if it is situated in the North-West Frontier Province or if it is not large enough and to a Corporation Sole if it is small. These three different kinds of Cantonment Authorities conduct the Local Administration. The Corporation Sole is virutally "One man's Rule" and that one man is the Military Officer who commands the station for the time being. A nominated Board has no chosen representative of the people and even the so-called Elected Board has a standing official majority. So that whatever the name of a Cantonment Authority, it is either a purely official agency or an Agency dominated by officials.

Even under the Cantonments Act and the House Accommodation Act, certain important matters—such as the framing of Election Rules, the conduct of Elections, the imposition of taxes, the leasing of Cantonment land, the framing of the Schedule of rent for Cantonment land to be leased and the resumption of leased land under

certain circumstances and the expulsion of Cantonments residents are matters that are either completely controlled by the Local Government or are greatly influenced by that Government.

POPULATION OF CANTONMENTS IN VARIOUS PROVINCES.

The Association has not got the exact figures about the population of each Cantonment according to the last Census, but the Provinces may quite correctly be arranged in the following order with regard to population :—

Punjab.—(Rough population 2½ lakhs) includes important Cantonments like Ambala, Jullundur, Lahore, Sialkot, Ferozepore, Rawalpindi and Multan.

United Provinces.—(Rough population 2 lakhs) includes important Cantonments like Agra, Allahabad, Bareilly, Cawnpore, Jhansi, Lucknow, Meerut and Dehra Dun.

Hyderabad.—(Rough population one lakh) includes the very large Cantonment of Secunderabad and Aurangabad.

Bombay.—(Rough population 1 lakh) includes the important Cantonments of Poona, Deolali, Kirkee, Karachi, Belgaum, Ahmednagar and Hyderabad, Sind.

Madras.—(Not known even approximately) includes the Cantonments of Wellington and St. Thomas Mount.

Central Provinces.—(Over ¾ lakh) includes important Cantonments of Jubbulpore, Saugor, Kamptee and Pachmarhi.

Central India.—(Over ½ lakh) includes inportant Cantonments of Mhow and Nowgong, Neemuch.

North-West Frontier Province.—(Over ½ lakh) including Peshawar, Abbottabad, Nowshera and Kohat.

Ajmer-Marwar.—(Not known even approximately) includes the important Cantonment of Nasirabad.

Burmah.—(Not known even approximately) includes the important Cantonment of Rangoon.

Bengal.—(Not known even approximately) includes the important cantonments of Barrackpore and Dum Dum.

Bihar and Orissa.—(Not known even approximately) includes the important Cantonment of Dinapore.

British Baluchistan.—(Population not known) includes the important Cantonment of Quetta.

It will appear from the the above that the civil population of the Cantonments as attached to the Provinces of the Punjab, United Provinces and Bombay is quite large, ranging from one lakh to 2½ lakhs, yet the existing constituencies have been so formed in those provinces, that no Cantonment resident has been able to find his way to the Provincial Legislative Council through elections. At present both for purposes of elections to the Provincial Council and to the Legislative Assembly, small groups of Cantonments are included in large general constituencies, in which the Cantonment group is of such a negligible character that it can neither influence the course of elections nor can ever hope to return a Cantonment resident through that channel.

It is a matter of great misfortune for the Cantonments people that though they are governed by a special law and have several important problems of administration peculiar to the Cantonments—such as do not confront the people of the rest of India—they cannot under the existing Election System enter the Provincial Council or the Legislative Assembly on the strength of their own votes. The

Association has impressed the vital importance of the question on the Government and takes this opportunity of bringing it to the notice of the Indian Franchise Committee as the foremost problem of the people of the Cantonments, on the right solution of which depends all their future civic welfare and progress. Whatever the extension and nature of Franchise that may ultimately be decided upon and whatever the system of elections to return elected members to the Provincial Councils and the Federal Legislature, these should be so arranged that the Cantonments people may be able to secure their due representation both in the Provincial Councils and the Federal Legislature.

After the above necessary introduction, I am desired to give the following replies to the questionnaire issued by you. The replies cover the questionnaire generally, and are not given in seriatim under each question.

EXTENSION OF FRANCHISE.

The Association thinks that the time has arrived when 10 per cent. of the population should be enfranchised. In the opinion of the Association, there can be no administrative difficulties in registering the votes of this number of electors. The Association recommends this percentage only as a step to the eventual goal of " adult franchise." There is such a universal desire to participate in elections, that even this percentage will not satisfy the public desire in this connection. The elections that have been held in pursuance of Montagu-Chelmsford Scheme of Reform have awakened a sort of civic consciousness even in remote villages and the people even in out-of-the-way and secluded villages know what the " value " of a vote, is, how much depends upon the honest and wise tendering of such a vote. It is true that various influences are brought to bear upon the electors, but on the whole, the electors use their votes according to their own views inside the ballot box room. The Association is aware of numerous cases in elections to Provincial Councils, where the electors said a docile " yes " to an influential or moneyed candidate at the last moment but the results of the elections showed that their votes went to another candidate of their own liking and the promise-exacting candidate was awakened only when the actual results of polling were announced.

HOW TO SECURE THE EXTENSION OF FRANCHISE.

The Association thinks that the extended enfranchisement recommended, will be secured by the following methods :—

(*a*) That the existing property qualifications be lowered and every man or women, having a property yielding a rent of Rs. 2 p. m. or residing in a rented house of the rent of Rs. 2 or more p. m. or paying a Municipal or District or Cantonment Board Tax of at least Rs. 4 per annum or carrying on some trade, profession or work bringing him a monthly income of Rs. 15 or more, should have the right of vote. The Association agrees with the Federal Structure Committee that the wives and widows of those qualified to be a voter under the property qualification should also be given the right of vote.

The Association recommends that where the monthly rental value of a house is more than Rs. 2 and there are besides the owner or the tenant, other adult members of their family, those adult members may be given the right of vote to the extent that their number is covered by the excess of the actual monthly rent over Rs. 2. To make the point clear, suppose the monthly rent of a house is Rs. 10 and the owner or tenant has four adult sons residing in the same house, then according to the recommendation of the Association, all the four sons will be enfranchised as the rent of Rs. 10 is sufficient, on property qualification, to enfranchise 5 individuals

Memoranda by the ALL-INDIA CANTONMENTS ASSOCIATION. [*Concluded.*

LITERARY QUALIFICATION.

(*b*) In case of women, Labour and depressed classes, the right of vote be given to every individual who has passed the Primary Examination in any vernacular of the country. But the Association recommends that such women as carry on the profession of prostitution in cities and towns, should be disqualified from being voters.

RESERVED CONSTITUENCIES FOR WOMEN.

(*c*) The Association recommends separate constituencies for "women," at this stage of the political condition of the country. In the absence of reserved constituencies for women, it will be difficult for them to succeed in elections, on account of the difficulties of canvassing among male voters and of the very small influence that women candidates will have with the voters in general, owing to their life-work lying within domestic sphere.

DIFFERENT QUALIFICATIONS FOR DIFFERENT COMMUNITIES.

(*d*) The Association is not in favour of different qualifications being fixed for different communities. With the low qualification suggested by the Association, there will be no apprehension as to any community not getting a voting strength proportionate to its numerical strength.

REPRESENTATION OF THE DEPRESSED CLASSES.

(*e*) No reservation of constituencies is necessary in the case of Depressed Classes. If the franchise is lowered, as is suggested by the Association, the Depressed classes will have a voting strength that will be enough to influence the course of elections in the favour of the candidate whom they support.

REPRESENTATION OF CANTONMENTS IN PROVINCIAL COUNCILS.

The Association strongly urges that in view of the importance of the subjects pertaining to Cantonment Administration dealt with in Provincial Councils, it is very desirable that at least two seats be reserved for the Cantonments of the Punjab, United Provinces, North-West Frontier Province, and Bombay in the respective Provincial Councils, which may be formed into equal number of constituencies with due regard to contiguity of territory in the formation of each constituency. The above suggestion is based upon the presumption of the maintenance of separate electorates.

THE FEDERAL LEGISLATURE.

The Association is of opinion that 200 is a small number for the Lower Chamber of the Federal Legislature. The Association recommends the raising of this number to at least 400. It is impossible to secure adequate representation of the important interests and communities, if the strength of the Lower Chamber is so low as 200.

DIRECT ELECTION.

The Association is in favour of "Direct Election" to the lower Chamber, according to the present system. In Indirect Election, a candidate will have to first make his way to the Provincial Council and then to the Lower Chamber. The present system, judiciously enlarged, will work well.

RESERVED SEATS FOR THE CANTONMENTS.

The Association strongly urges the statutory reservation of at least 4 seats for the Cantonments of India. It will be quite convenient to divide all the Cantonments nf India into four constituencies and to give such constituency the right of returning one member.

Rai Sahib ONKAR PRASAD.
Rao Bahadur PANNA LALL.
Lala CHIRANJI LAL.
Sardar SOHAN SINGH.
Khan Bahadur HAZI WAJIHUDDIN.
} **Representing the All-India Cantonments Association.**

1. *The Chairman :* You have come here on behalf of the All-India Cantonments Association ?—(*Lala Chiranji Lal*) : Yes.

2. You have given your memorandum ?—Yes.

3. The inhabitants of cantonments have the vote to-day under the general constituency ?—Yes. The constituency is so large and the cantonment groups are so small that there is absolutely no chance of cantonment representatives finding their way through elections.

4. Probably you have a larger percentage of voters in proportion to your numbers compared with the rest of the country ?—No. The cantonments people are not so well educated.

5. Do the members who stand for election come and solicit votes of the residents of cantonments ?—Yes, Sir.

6. Are there enough opportunities for representing your views in the legislatures ?—The difficulty is this : Our problems are different from the rest of India. We are under a special law called the Cantonments Act. We have problems relating to land and property. We are a very important class. We are the house-owning class in cantonments. We have spent enormous sums in building bungalows for military officers. There are special problems facing us such as resumption or appropriation of property and so forth. These problems are not studied by members who are returned by the general constituencies.

7. What is the exact method by which you propose that the cantonments should be represented ?—Cantonments are divided into four and put under four Commands, the Northern Command, the Eastern Command, the Southern Command and the Western Command. We are all under the Army Secretary. Our population is scattered in different provinces. If four seats are given to us, each command will have one seat and all the cantonments under one command can be formed into a constituency to elect one member, to the Central Legislature.

8. To the Central Legislature ?—We are directly under the Government of India. Cantonments are administered directly by the Government of India. It is for that reason that the House Compensation Act—a law pertaining to the payment of compensation to house-owners—was passed by the Central Legislature.

9. *Sir John Kerr :* Will you tell me what exactly your problems are ? You are a most prosperous class of people ?—Just the other way, Sir.

10. What are your special problems ?—Our chief problem is that relating to the houses owned by us, but rented out to and occupied by military officers. The difficulty is as regards the question of the relative rights of Government and house-owners in regard to land in the possession of house-owners. The rent for buildings occupied by the military officers is sometimes fixed so low that it is not even enough to cover the repairing charges thereof. If the buildings are not suited to the military officers we have got to make them suitable. These things as well as the resumption proceedings which are sometimes resorted to by the Government are very irksome to us. Sometimes they do not pay compensation for houses resumed by them and sometimes they pay only nominal compensation. The house-owners are thus hit hard.

11. You are guaranteed your rents by the military authorities, is it not ?—No, Sir. Under the House Owners' Accommodation Act, the Government appropriate houses for military officers and ask us to improve them in so many ways. Even if we execute the necessary repairs, we do not get fair rent. If a house-owner does not agree to the rent fixed by them, he has to go to the court. There is no such thing as guarantee.

30th March 1932.] Rai Sahib ONKAR PRASAD, Rao Bahadur PANNA LAL, Lala CHIRANJI LAL, Sardar SOHAN SINGH & Khan Bahadur HAZI WAJIHUDDIN. [*Concluded.*

12. On the whole you are a prosperous class and your position as house-owners in cantonments is different from the position of house-owners in other parts ?—The house-owning classes in non-cantonment areas are very important people. They have not built houses like us in cantonments at great sacrifice.

13. *Mr. Butler :* Why do you say that ordinary people cannot represent your interests in the legislatures even when cantonments are formed into constituencies ?—When the reforms were introduced in cantonments in 1924 there was no public body in the whole of India which took notice of the grievances of the cantonment people. The Congress was there and the Liberal Association was there and our grievances were there. When respectable persons from the cantonments were expelled, no public body in the whole of India took any notice of it. They never care to understand our problems. We are under some sort of Martial Law. It is under some such law that even respectable people in cantonments are expelled even to day. In the past there have been occasions when residents of cantonments have been expelled without any reasons being given or recorded. These are our special problems.

14. In my own constituency in England, if I do not represent the interests of the people they are sure to turn me out at the next election. Is it not possible for you to get the members for whom you vote take interest in cantonments affairs ?– In Ambala division constituency there are about 800 voters from the cantonment and some 7,000 other voters. Even if all the 800 voters support one candidate, he will not be returned to the council. Any candidate who is returned will care more for the interests of the largest number of voters than for us who number only 800. Such being the case he will not care to study our special problems. It is under these circumstances that the All-India Cantonments Association came into existence in the year 1919 and whatever benefit we have got so far from the administration, is due to the efforts of this Association.

15. There is one point which we have omitted to mention in our memorandum and that is this : The system of joint electorates has been working in the cantonments ever since 1924 when the reforms were introduced there. That is the system of election prevailing for election to the cantonment boards all over India. My association wishes to bring to the notice of this Committee their great gratification that that system is working very well and that all important interests and communities are represented on the cantonment boards.

Miscellaneous Memoranda.

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Memorandum submitted by the ASSOCIATED CHAMBERS OF COMMERCE of India and Ceylon.

The Associated Chambers propose to confine the remarks which they now have to make to the subject of the direct representation of their interests in the Central Legislature. * * * .

2. It is desirable to preface the Association's remarks by recalling that at present the direct representation which is enjoyed in the Central Legislature by the Association and its constituent Chambers is as follows:—

(*a*) *in the Council of State*, the Bengal, Bombay and Burma Chambers each return an elected member; and

(*b*) *in the Legislative Assembly*, the Association is permitted to nominate a member for appointment by His Excellency the Governor-General. Several of the Chambers, including Chambers other than those now directly represented in the Central Legislature, have urged the importance of such direct representation being continued and of course, in an enlarged legislature, proportionately extended. This is a reasonable attitude, and it is hoped that it will receive due consideration.

3. In the case of the Lower House in particular, the Chambers consider that, as matters closely concerning commercial and industrial interests figure so prominently in it, definite provision should now be made for the interests of European commerce to have adequate representation in the Lower House in the new constitution. It has been consistently felt, throughout the period of the present constitution, that the inadequate representation of these interests has been a definite handicap—a position which was, it may be assumed, recognised when some years ago His Excellency the Governor-General was good enough to make special provision for the appointment of the Association's nominee. The Associated Chambers are grateful for this privilege, but they do now desire to press strongly for the statutory recognition of the claim of European commerce to direct representation in the Lower House.

4. Further, this claim should be conceded without any disturbance of the proportionate representation afforded to European general interests. It is essential that the representation which is now enjoyed by these should be continued, for it is an obvious fact that for many years to come the general interests of the European community will require the closest attention by their representatives in the legislatures. Nothing should be permitted in the new constitution which will in any way weaken the position of the community in this respect, and therefore the representation which they now have must be continued to them in the future.

5. As has been explained above, the need for the direct representation of commerce has already been recognised, and the question before the Chambers is how this need can best be met. If there is to be adherence to the Federal idea, the logical course to adopt would seem to be that the representation of the interests of the Chambers should be through them individually rather than through the Association, but the point of particular importance is that the business interests concerned should receive representation in one form or another. Without knowing the method of election to be adopted in regard to the Lower House, the Chambers find it difficult, indeed, to make a definite recommendation as to whether the additional representation for which they press should be provided by indirect election through the local provincial Councils or by direct election through the provincial Chambers of Commerce. The point of importance is, however, as they have said, that the representation should be provided for, and it is a matter of secondary importance how the election is to be carried out.

6. It should, however, be remarked that adherence to the Federal idea, and the consequent resort to indirect election through the local provincial Councils, cannot provide for the representation of all the constituent Chambers in the Association

Memorandum by the ASSOCIATED CHAMBERS OF COMMERCE of India and Ceylon. [*Concluded.*

as some of these are not now, and may not be, given direct representation in the respective local legislatures. From this point of view, therefore, the statutory recognition of the Associated Chambers as a body to return at least one representative to the Lower House of the new legislature would seem to be necessary in order that recognition may be obtained by the constituent Chambers to which reference has just been made.

Memorandum submitted by the INDIAN MINING FEDERATION.

I am instructed to address you on the subject of representation of the Indian Mining Federation on the Provincial and Central legislatures under a revised constitution. The Committee of the Federation regret that no evidence was led by them when the Franchise Committee were on tour in the Provinces owing to an unfortunate misunderstanding that the whole question of special representation would form the subject matter of their examination at a later date. From a copy of the Memorandum of Recommendations of the Bihar and Orissa Franchise Committee which has just been forwarded to the Federation by the local Government, it would appear that not only the Committee of the Federation are entirely mistaken in their view that the subject of special representation will be dealt with at a later stage but that very definite proposals have been formulated to the Indian Franchise Committee by the local Franchise Committee for the Province of Bihar and Orissa. The Committee of the Indian Mining Federation, in the circumstances, feel compelled to make what observations they would in this connection without deferring them for a later occasion.

2. In the first place, the Committee do not consider they need establish the case for representation of special interests. The claim of special interests to representation both in the Central and Provincial legislatures was, it would be recalled, recognised both by the Simon Commission as also by the Government of India in their Despatch to the Secretary of State dated 21st September 1930, on the Report of the Simon Commission. It is understood that most of the provincial Franchise Committees have also concurred in this view and it is only in exceptional cases that an opinion has been expressed favouring abolition of all special electorates. The Committee of the Federation do not, therefore, consider that they need adduce any more arguments in support of the overwhelming opinion expressed in favour of representation of special interests in the legislatures.

3. In 1920 Lord Southborough's Committee recognised mining as one of the special interests which is entitled to specific representation in the Provincial councils. The Bihar and Orissa Franchise Committee in their recent memorandum to the Indian Franchise Committee have also put forward proposals for representation of mining interests, but in place of the existing two constituencies of the Bihar and Orissa Legislative Council representing the mining interests, the local Franchise Committee have recommended not more than one seat under the new constitution. The Committee of the Federation are not aware what is really the intention of the local Franchise Committee in restricting the scope of representation of mining interests or in what way effect would be given to such a recommendation, assuming it were accepted. In all likelihood, the effect of the proposed reduction of seats for mining interests would either be to make the seat a rotational one between the Indian Mining Association and the Indian Mining Federation—the two associations representing the mining interest of the province of Bihar and Orissa —or to abolish altogether the institutional representation and create instead an electorate of all mineowners of the Province returning one member to the legislature. Against both these implications of the recommendation of the Bihar and Orissa Franchise Committee, the Committee of the Indian Mining Federation must set their face

Memorandum by the INDIAN MINING FEDERATION. [*Continued.*

4. It may be made perfectly clear that the Indian Mining Federation and the Indian Mining Association even though two sister organisations representing, superficially viewed, identical interests, the membership of these associations are of a wholly exclusive character and represent distinct economic interests even though within the ambits of a single industry. The Mining Federation represents Indian capital; its membership consists chiefly of small undertakings; the concerns represented by it are mostly proprietory or what is so, for all practical purposes. On the whole, both in point of financial standing as also in point of commercial character of the enterprise, the membership of the Indian Mining Association and the Indian Mining Federation may be regarded to be wholly distinct. Again, the Indian Mining Association does not represent pure producing interest in the coal industry in the sense in which the Indian Mining Federation may be regarded to do. The managing agents of the coal companies represented by the Indian Mining Association being the same as for the large manufacturing concerns who are consumers of industrial coal, the producing interest represented by the Indian Mining Association in the coal trade may be regarded as somewhat consumer-ridden. These differences in character and interest have been pronounced acutely enough in the attitudes and opinions adopted by the two bodies on indentical subjects in the past. Where the Indian Mining Association has been agreeable to a taxation, the Indian Mining Federation had had occasion to demur; where the Indian Mining Federation favoured a particular legislation, the Indian Mining Association have thought it fit to oppose. Without any intention of exaggerating the real difference of interests which separate the Indian Mining Association and Federation, the Committee of the Federation can have no hesitation in stating that for purposes of representation in the legislature or to put it in other words for purposes of safeguarding respective interests in the highest Councils of the State, it is essential that the two bodies should be represented separately and individually and not jointly or only one be represented to the exclusion of the other.

5. The Committee of the Federation in making the foregoing remarks desire it to be understood that they are wholly opposed to the recommendation of the Bihar and Orissa Franchise Committee in reducing the number of seats for representation of mining interests in the Bihar and Orissa Legislative Council. But the Committee must go further and would request the Indian Franchise Committee that they might be pleased to recommend a seat for the Indian Mining Federation in the Bengal Council as well. In the Reforms of 1920 the Local Government of Bengal somehow failed to recommend a seat for the Indian Mining Federation in the Bengal Legislative Council. The results of the decision have been unfortunate. Occasions have arisen during the last eleven years when matters of vital interest to the coal mining industry in the province of Bengal have been before the Council but without a Member in the House to represent the particular point of view of the coal industry, or more accurately, that section of it whose interest only the Mining Federation represents. The history of the Bengal (Rural) Primary Education Bill of 1929 affords interesting evidence in this connection. The Indian Mining Federation being not in a position to express its point of view through a representative of its own within the Council, carried on strenuous lobby-work to oppose one of its taxational provisions affecting the coal industry, but the Indian Mining Association even though represented in the Council took little interest in the subject. Only so recently as May 1931, the Committee had occasion of considering an amendment of the Bengal Mining Settlement Act. On a particular point the Committee had strong opinions but owing to the subject having drawn their attention at the eleventh hour, they found themselves helpless in making their views known to the Council, and even a request for a deputation of the Federation to wait on the Hon'ble Minister-in-Charge of the Bill did not secure the required opportunity for an expression of views. In the circumstances, the Committee of the Federation venture to feel that there is an overwhelming case

for the Indian Mining Federation to be constituted an electorate of the Bengal Legislative Council.

6. There remain two more points to be emphasised. Apart from Provincial councils, the Committee of the Federation are strongly of opinion that mining interests or what is practically the most important mining interest of the country, namely, coal mining should be represented in the Central Legislature. Owing to a fortuitous combination of circumstances, a representative of this association happened to be returned to the Legislative Assembly in 1920 and was a sitting member of the Assembly in 1922-23 when the Indian Mines Act passed through the Assembly. Since then many measures directly affecting the coal industry were carried through the legislature, but as far as the Committee can recall at the present moment, without a single representative of the industry being in the House. The Committee do not consider there could be a more unfortunate position than this, and it is hoped that the Indian Franchise Committee will be persuaded to recommend the ear-marking of two seats for representation of mining interests in the Central Legislature under the new constitution. Lastly, whether in according representation to mining interests either in the Provincial or in the Central Legislature, I am to express the considered view of the Committee of the Federation that the representation should be secured through the agency of an organised association and not by the creation *ad hoc* of a constituency, such, for instance, as has been adopted with regard to the representation of land-holders in the Bengal Legislative Council. It is only organised opinion which is best amenable to representation in the legislative bodies, and indeed, but for its superior value arising from organisation, it is difficult to support the representation of small numerical interests in the councils of the State.

Memorandum submitted by the HINDU MAHASABHA.

The accompanying statement which is a summary of the resolutions adopted by the Hindu Mahasabha in this respect and of the statements made by its Working President, Dr. B. S. Moonje, during the Sessions of the Round Table Conference from time to time, contains all that the Hindu Mahasabha has to say in the matter.

The Hindu Mahasabha holds strongly the view that communal representation is fundamentally opposed to nationalism and gradually creates an increasing desire for the assertion of communal differences in various departments of public administration. The Mahasabha also thinks that this principle is incompatible with responsible Government in which preferences based on communal distinctions are out of place. In the working of responsible Government, full freedom should be given for the growth of healthy adjustments satisfactory to the desires of minorities to take their proper place in the public life of the country.

The Mahasabha, therefore, wishes to state that the following principles should be kept in view in framing any constitution for India:—

(*a*) That there should be uniformity of Franchise for all communities in the same province.

The Mahasabha is opposed to and will not accept any scheme of differential franchise qualifications for different communities which the Questionnaire suggests for the purpose of providing voting strength to a community proportionate to its numbers.

Differential franchise, instead of easing communal tension, will cause grave heart-burning and aggravate and perpetuate communal tension which will make peaceful and ordered working of the Constitution impossible.

(*b*) That the elections to the Legislatures should be by mixed electorates. The Mahasabha has a fundamental objection to the grant of separate electorates to any community.

Memorandum by the HINDU MAHASABHA. [*Continued.*

N.B.—Provision of separate representation for communities by separate electorates will inevitably raise the contention on the principle of " No taxation, No representation ", that the amount of such separate representation must depend on the amount the community pays in taxes.

(*c*) That there ought to be no reservation of seats, either in Joint or Separate Electorates for any community which holds a majority position in any province.

(*d*) That if a scheme of Minority Protection by reservation of seats be considered necessary, then the basis of respresentation of different minority communities should be uniform such as Adult population, or voting strength or taxation whichever shall be favourable to them.

(*e*) That in any scheme of such protection for minorities, the representation of any minority community in any province should under no circumstances, be fixed at less than its proportion to the population of the province.

(*f*) That on principle the Hindu Mahasabha is opposed to the system of direct weightages which means expropriation from the legitimate quantum of representation of a majority community without its consent in order to give additional representation *i.e.*, direct weightage to a minority community. A minority community is entitled only to that form of weightage, *i.e.*, indirect weightage, which is in the shape of a right to contest for additional seats over and above the number reserved for them. But if any scheme of direct weightage in representation for minorities be considered necessary as a temporary expedient which the Mahasabha is clearly of opinion it is not, then the weightage should be fixed on a principle applicable equally to all minorities without discrimination in favour of one minority as against the other.

(*g*) That in view of the understanding arrived at between Rai Bahadur M. C. Rajah, President of the All India Depressed Classes Association and Dr. B. S. Moonje, Working President of the Hindu Mahasabha, for the representation of the Depressed Classes in the Legislatures on the basis of Joint Electorates with the Hindus with reservation of seats on basis of their proportion in the population, there is no question now of separate electorates for the Depressed Classes.

The Hindu Mahasabha does not agree to the inclusion amongst the Depressed Classes of any caste other than those which are actually regarded as untouchables.

N.B.—The above is of the nature of a temporary provision for the satisfaction of minorities for, say, the life-time of the next two Legislatures. This system of reservation should automatically disappear after the lapse of the period fixed.

2. In the interest, however, of furthering the cause of India's evolution as one united Nation, the Mahasabha feels here the need of emphasising the point that all minority problems should be solved preferably on the lines of Minorities Guarantee Treaties of the League of Nations, to which both England and India are already parties as members thereof. The League, while providing for full legitimate protection to Minorities in matters concerning their religions, cultures and social customs which alone distinguishes a minority from the majority population of a country, has scrupulously refrained from discriminating the nationals of a state in the public administration of the country on the basis of their religions, cultures or languages.

In this connection it is instructive to take note of the words of no less a person than the Right Hon'ble Mr. Stanley Baldwin, former Prime Minister and now Lord President of the Council in the present National Government of England.

Memorandum by the HINDU MAHASABHA. [*Concluded.*

While addressing delegates from twenty-five countries who are attending the Congress of International Universities and the League of Nations Federation, he says : —

" The ideals of the League of Nations were forged amid the fire and smoke of that war (Great War) and those ideals alone could be the salvation of the world ".

3. The Hindu Mahasabha has no objection to the immediate introduction of Universal Adult Franchise; but if it be considered an impracticable proposition for the present, it would give its approval to the group system for the enfranchisement of those who remain un-franchised under the proposed scheme of enfranchisement of from 10 to 25 per cent. of the population, subject to the following conditions :—

(*a*) That separate electorates are not granted to Moslems or any other Indian Community.

(*b*) That grouping of primary voters is strictly and exclusively on civic and non-communal principles, that is, on the basis of residence and neighbourhood.

(*c*) That Adult Franchise is granted for both sexes to the Primary voters.

The Mahasabha is uncompromisingly opposed to the partition of the people into water-tight compartments right from the top down to the bottom which will inevitably be the result if the group system is accepted with Separate Electorates.

Memorandum submitted by the Council of the NATIONAL LIBERAL FEDERATION OF INDIA.

The Council of the National Liberal Federation of India have to submit the following Memorandum embodying their considered views on the questionnaire issued by the Indian Franchise Committee.

The National Liberal Federation stand for political power being exercised not on the basis of communal or sectarian consideration but on the basis of a system founded on broad political policies. They have welcomed, consistently with their avowed principles, the assurances contained in the Premier's declaration of 19th January 1931, confirmed by the White Paper issued in December last, that the future constitution of India is to be based on the principle of responsibility to be conferred on the Legislature both Central as well as Provincial. Franchise being the foundation on which any constitution can properly function, the Council of the Liberal Federation are of opinion that no real measure of responsible self-government would be achieved unless the present inquiry results in framing a franchise capable of creating the largest measure of intelligent interest among the public as a whole regarding the working of the future government of the country.

ADULT SUFFRAGE.

The Council would, at this stage, state clearly the position of the Liberal Party on two important issues. The Franchise Sub-Committee of the Round Table Conference expressed itself in agreement with the view that " adult suffrage was the goal which should be ultimately attained," but that it was not immediately practicable. Its recommendations, therefore, proceeded on the assumption that adult suffrage was not immediately attainable and the questionnaire issued by the Franchise Committee is also based on the same assumption. Opinion in the ranks of the Liberal Party is undoubtedly divided on this subject, but the position of the Party was summed up at a meeting of the Franchise Sub-Committee of the Round Table Conference in London held on 22nd December 1930 by Mr. C. Y. Chintamani, the President of the Liberal Federation for the current year in the following words :—

Memorandum by the NATIONAL LIBERAL FEDERATION OF INDIA. [*Continued.*

"Opinion in the Liberal Party on the question of adult franchise is divided; but from what happened at the meeting of the Liberal Party at Allahabad in 1928, I should conclude that the majority are in favour of adult franchise, and only a minority, though an influential minority, is against." The position remains much the same to-day and many Liberals would favour the immediate adoption of adult suffrage which they believe would prove the best solvent of the many difficulties, communal and others, which India has to face. At the same time, there is an equally strong feeling that the immediate introduction of adult franchise is not practical and that it would be unsafe to make an experiment which, if it fails, is likely to reduce the chances of success of the future constitution.

The Council very much regret that an agreed solution of the communal problem could not be achieved at the second session of the Round Table Conference. Apart from the other unfortunate repercussions of this failure, the final settlement of the franchise question itself is greatly handicapped, with the result that the Franchise Committee have been instructed to proceed with their work "on assumption that separate communal electorates will continue to form a feature of the new constitution." The Council of the Federation consider such instructions to the Franchise Committee as exceedingly regrettable as they prejudice the whole issue regarding the future fabric of the franchise. The Liberal Party unmistakably holds the other view and at the meeting of its annual Federation held in Bombay on 2nd August 1931 under the presidentship of Mr. Chintamani, the Party adopted, by an overwhelming majority, the proposal favouring the abolition of separate electorates and the introduction of joint electorates with reservation of seats. The replies of the Council to the questionnaire must be, therefore, understood as being without prejudice to this view of the Liberal Party on the Communal question.

I.—PROVINCIAL LEGISLATURES.

1. EXTENSION OF THE FRANCHISE.

(*a*) The Council are strongly in favour of the widening of the present franchise and are of the opinion that any scheme that does not contemplate the immediate enfranchisement of at least 15 per cent. of the total population in the provinces would fall short of the expectations of all the sober sections of political opinion in this country. If extension of the franchise to 25 per cent. of the total population be not considered feasible for the present, every endeavour must be made to enfranchise at least 15 per cent. of the population and this must be capable of easy expansion in years to come consistent with the needs of stability. It may be pointed out that the importance of including a large number of voters on the electoral register is, as was pointed out by Mr. J. N. Basu in his speech at the session of the Franchise Sub-Committee in London in December last, that "the smaller the number of voters, the more likely are the rest of the people to think that it is somebody else's government that is superimposed upon them without their having had any opportunity of organic action, or any power to influence that government."

The Council suggest that the necessary widening of the franchise should be attained by lowering the present franchise, in urban, suburban and rural areas on the basis of property and payment of rent or taxes, and also by extending it to persons with some minimum of educational qualification. Both these methods will, it is expected, enable the enfranchisement of the necessary percentage of the population, while the introduction of the educational qualification will result in strengthening the electorates by bringing in a fairly large number of more or less educated voters, who might have hitherto remained unenfranchised as opposed to even illiterate persons who might have got the franchise at present merely on account of their being possessors of property.

(*b*) For about 50 years, the Indian voter has been casting the vote either for the local bodies or the legislatures in a fairly intelligent way. Even in advanced

countries in the West, voters are liable to be swayed by the passions and prejudices of the moment, and the Indian voter is not and cannot be an exception even under the present restricted system of voting. If casting of votes as carried on at present in the West and under the present system of franchise in this country be considered intelligent, then under the extended franchise as suggested, there is no reason to entertain any undue fears about the manner in which votes will be cast. Further, the importance of the right to vote as being in itself an educative factor cannot be underestimated and the Council hope that the Indian voter may be soon expected to be imbued with the necessary political sense and intelligence after the experience of one or two elections.

(*c*) The Council are of opinion that the widened electorates suggested by them is administratively manageable and that in any case the difficulties that are likely to be experienced at first have to be surmounted in the interests of developing the political institutions of the country on sound democratic lines. The Council consider that many of the administrative difficulties can be overcome with the result that the task of preparing, maintaining and revising electoral rolls would soon be stereotyped as in Great Britain. Besides, the work of recording and of counting votes can be facilitated if proper and judicious use is made of the non-official agencies available in urban as well as in some rural areas. For this purpose, it might be suggested that the services of such bodies as the village unions, village panchayats, the Taluka and District Local Boards, and of such persons as Head Masters and teachers in schools, school mistresses and nurses in public hospitals, officers in Co-operative Banks, etc., can be enlisted, while officials like Municipal servants of a superior grade, the officers of the Co-operative, Agricultural, Educational and Health Departments can without difficulty prove themselves useful in these matters.

(*d*) Replies to (*b*) and (*c*) being in the affirmative, this does not arise.

(*e*) While the Council are in favour of the immediate extension of the franchise to at least 15 per cent. of the total population, they would suggest that if possible some means should be devised whereby an automatic expansion of the franchise to 25 per cent. of the population might be effected by the vote of the provincial legislature if the suggested system is found to work successfully and without any hitch at two elections.

(*f*) The Council are unreservedly opposed to the proposed group system of voting both for rural and urban areas. The group system is advocated apparently on the ground that immediate adult suffrage being impracticable, that large percentage of the population, which would have to go without an actual vote, should at least obtain some "interest" in the vote. However attractive this system might appear at first sight, the Council have no hesitation in saying that it can never be a substitute for genuine adult franchise and its introduction in the form proposed is likely to be attended with grave risks. The exponents of the group system do not contemplate side by side the abolition of communal or special electorates and the creation of a further distinction among voters is not likely to be politically helpful or wholesome. Again, the group system will involve two elections, the primary and the secondary which will create further administrative difficulties and make elections cumbrous and costly. But the greatest danger of the group system lies in the possibility of strife and bitterness that it might engender amongst the people. Most of the advocates of the group system do not wish to do away with the general system of franchise as obtains at present, but look upon it as a suitable expedient to enfranchise in an indirect manner the mass of the population which might remain unenfranchised under the general and direct system of franchise. But the result of this will be that the proposed groups will be entirely composed of the less intelligent class of persons in the population as the actual voters who have been enfranchised in their own right will not be included in the group. This will enable one or two influential persons in the group to dominate the whole

group and might even lead to unhealthy rivalries and jealousies and consequent embitterment of feeling. Instead of the group becoming a friendly gathering beneath a village tree as visualised by optimists, the system might lead to an intensification of factions and destroy the atmosphere of peace and harmony that is generally prevalent in the villages. The group system of voting will give rise to all the drawbacks of the indirect system of election, without almost any compensating advantages.

(*g*) This does not arise in view of the reply to (*f*).

(*h*) The Council are opposed to this suggestion also and most of the grounds given in (*f*) equally apply to this proposal.

(*i*) This does not arise in view of the negative reply to (*f*) and (*h*).

(*j*) This also does not arise.

2. FRANCHISE QUALIFICATIONS.

(*a*) Without detailed comparative statistics as to the size of the electorates in rural and urban areas, it is difficult to say whether there is any marked disparity in the operation of the franchise qualifications in urban as compared with rural areas. It would appear that the urban electors in the Bombay presidency total about 10 per cent. of the urban population, whereas the rural electors hardly come up to 2 per cent. of the rural population. To some extent this disparity is bound to exist even under the system of franchise proposed by the Council so long as education in rural areas remains in a backward state. The best way to rectify the disparity would be by keeping the property and rent qualifications lower in the rural areas as compared with the urban centres, while a more rapid spread of education would also contribute to the same result. The Council would not favour any artificial expedient to rectify the disparity, since such disparity exists everywhere in the world where franchise qualification confers votes only on some persons and not on all the adults.

(*b*) The best way to achieve for each community a voting strength proportionate to its numbers is of course by the adoption of adult suffrage. Since that is considered impracticable, any other expedient is likely to operate invidiously and raise unnecessary complications. In the case of separate electorates or joint electorates with reservation of seats, all that matters is the number of seats reserved for a particular community and the voting strength cannot, by the very nature of things be of primary importance to the community concerned. Joint electorates without reservation of seats is not practical politics for the present and the question, therefore, lacks practical interest.

(*c*) Possession of property is undoubtedly one test of fitness for the franchise, but obviously it is not the only test nor even the best test of the capacity for the right exercise of the franchise. So long as possession of property is not to be the test of only fitness for franchise, the question of the modification of existing property qualifications need not be considered, though the Council have supported a lowering of the franchise on the basis of property with a view to get a larger percentage of the population enfranchised.

(*d*) The Council have already urged the recognition of an educational qualification independently of property for conferring the franchise and they are of opinion that this qualification should mean the passing of the fourth vernacular standard or any equivalent examination. This would give a much needed impetus to the spread of primary education and would also result in lessening the present disparity in the voting strength of urban and rural areas. In the case of those persons who have passed the fourth primary standard under the old educational system, the difficulty of ascertaining whether a particular person has the necessary qualification or not can be overcome by requiring the person concerned to produce a certi-

ficate of two respectable persons that he or she possesses the necessary educational qualification.

(*e*) The Council are entirely opposed to the retention of the existing military service qualification and of its extension to services in the Auxiliary or Territorial forces.

3. WOMEN'S SUFFRAGE.

(*a*) The Council are of opinion that women should be admitted to the suffrage on the same terms as men both as regards the property and educational qualification. The Council have already urged the acceptance of the passing of the fourth vernacular standard as a suitable qualification for franchise in the case of men and the same qualification must be provided for in the case of women also, if there is to be a considerable increase in the women's vote, which every one concedes as being highly desirable. The Council, however, do not favour the adoption of such expedients as the creation of separate electorates for women or the conferring of the right to vote on the wives and widows of persons who may be entitled to exercise the franchise on account of their possessing property.

(*b*) As the Council are against the adoption of a system of group representation, this question does not arise.

(*c*) The Council do not favour the proposal that as a temporary measure the legislatures should co-opt women members to an extent not exceeding 5 per cent. by a system of proportional representation. To ensure, however, adequate representation of women in the legislatures, it is suggested that for sometime to come there should be a reservation of seats not exceeding 5 per cent. of the seats in the legislatures for women, the women's seats being allotted to suitable urban electoral areas by rotation.

4. REPRESENTATION OF THE DEPRESSED CLASSES.

The Council are totally against the creation of separate electorates for the Depressed Classes, but in order that the fair and just claims of the Depressed Classes may be satisfied, they favour joint electorates with reservation of seats. Reservation is advocated for some time, because it is suggested that by the ordinary franchise qualifications, even after revision, the number of voters of the Depressed Classes will be disproportionate to their population. Their interests, in the opinion of the Council, would be best served, if their representatives in the legislatures are elected by joint electorates, but the principle of reservation of seats should be accepted to ensure that the Depressed Classes are able to send an adequate number of representatives of their community to the legislatures. Such reservation, the Council feel, should be in proportion to their population provided no weightage is given to any section of the population so far as its representation in the legislature is concerned. Should the larger political settlement between Hindus and Mahomedans, necessitate a weightage, the sacrifice of seats involved on the part of the non-Moslem population should be proportionately shared by the Depressed Classes. This arrangement should be a temporary measure and should continue for ten years.

5 and 5 (*a*). REPRESENTATION OF LABOUR AND SPECIAL INTERESTS.

All special constituencies militate against the ideal of a national democracy and therefore the Liberal Party is not in favour of recognising any special interests in the matter of representation. But, if special representation is to remain, the Council would suggest some modification in the existing system of representation of Universities and Commerce. In the case of Universities, instead of the Senates, all graduates should be entitled to vote for election to the legislature. As regards

commercial bodies, the electorate is undoubtedly very narrow at present and it is suggested that it should be widened so as to include a larger number of commercial bodies and as far as possible all persons engaged in trade and industry.

As regards Labour, the Council support the principle of parity between the representation of Capital and of Labour. They would suggest that the total number of candidates to be returned by Labour of all kinds to a legislative body should not be less than the number of representatives to be returned to the same body by special capitalist interests or preferably the seats allotted to special capitalist interest should not be more than the seats allotted to the corresponding special labour interest. The first alternative should be adopted as long as or whenever the second is not practicable or feasible.

SECOND CHAMBERS IN THE PROVINCES.

The Council of the Federation are not in favour of a second chamber in any of the Provinces. They have come to this conclusion on more grounds than one. There is in the first instance the question of an elaborate machinery for the election and the cost of the second chambers. But the deciding factor is that the provincial governments will be called upon, according to the future division of subjects, to deal with provincial problems only and there is no reason to believe that the decisions of the Provincial Legislatures on such problems will require a revising chamber. The Council are strengthened in this conclusion by the fact that the experience of the working of the Provincial Councils since the inauguration of the Reforms has not established the desirability of second chambers in any of the provinces.

6. THE FEDERAL LEGISLATURES.

With regard to the allocation of seats to various provinces in the Federal Assembly, the Council would like to point out that the population test while being very necessary could not be regarded as the only factor and the final factor. By this test alone, there would be the somewhat unsatisfactory result as in the case of Bombay with its largest percentage of urban population in the whole of India, its premier port, with three systems of railways converging thereon and its place as the central money market of India. The Council feel that considerations of this kind, which are applicable to any province, should weigh in the final allocation of seats to that province for the Federal Assembly as a corrective to and supplementing the population test.

With regard to the Upper Chamber of the Federal Legislature, many important issues are at present undecided and are being actively debated. Until the picture is, therefore, complete, it is difficult to fix the standard of direct franchise that would eliminate inequality with regard to the populations of the various federating units. For the present, therefore, the Council agree with the Federal Structure Committee that representatives of British Indian provinces in the Upper Chamber should be elected by the Provincial Legislatures by a single transferable vote.

(*b*) and (*c*) In the case of the Federal Assembly, the method of election should be direct, and as the number of members will be increased, the candidates will be better able than now to maintain contact with the voters and, if necessary, the Council suggest the splitting up of the present constituencies with a view to achieve this purpose. The Council are opposed to the adoption of any indirect system of election.

As regards franchise qualifications, the Council favour a lowering of the same and would suggest that the existing franchise for the provincial Legislatures should be the franchise for the future Federal Assembly.

Memorandum by the NATIONAL LIBERAL FEDERATION OF INDIA. [*Concluded.*

7. REPRESENTATION OF WOMEN, LABOUR AND DEPRESSED CLASSES.

The remarks made regarding representation of the Depressed Classes, Women and Labour in connection with the Provincial Legislatures would apply *mutatis mutandis* to their representation in the Federal Legislature.

Memorandum submitted by the COUNTRY LEAGUE.

1(*a*) What means can you suggest by which the existing franchise for the Provincial Legislature could be extended so as to include 10 per cent. of the population in the electoral roll ?—The extension of the electorate so as to include 10 per cent. of the population could, in the opinion of the League, probably be achieved by extending the franchise to :—(A) in rural areas (1) all persons paying land revenue or rent of Rs. 10 per annum and upwards, (2) all persons paying Rs. 5 per month and upwards as grazing fee, (3) all persons owning a building or land worth Rs. 100 ; (B) in urban areas (1) all persons paying Rs. 25 per annum and upwards as rent, (2) all persons owning a building or land worth Rs. 250.

(*b*) Do you consider that such an electorate will be capable of casting an intelligent vote ?—The League can see no reason to believe that the enlarging of the present electorate by 10 per cent.—(or even by a considerably larger percentage)—would result in the creation of an electorate less intelligent than that at present in existence.

(*c*) Do you consider that such an electorate would be administratively manageable, having regard to the arrangements likely to be feasible for the preparation, maintenance and revision of the electoral rolls and for the recording and counting of votes ?—Obviously, the Government departments and officials responsible for the duties mentioned are best qualified to supply an answer to this question, and the League would therefore respectfully suggest that the Committee should be principally guided by the views expressed by such departments and officials. The League is however inclined to believe that the enfranchisement of 10 per cent. of the population would produce an electorate which could be as efficiently managed, administratively, as that at present in existence, although, it is to be feared, at considerable extra expense financially.

(*d*) If the answer to (*b*) and (*c*) is in the negative, what alternative qualifications for the electorate would you propose ?—The replies to (*b*) and (*c*), above, not being in the negative, this question does not arise.

(*e*) If the answer to (*b*) and (*c*) is in the affirmative, do you consider that it would be practicable and desirable, having regard to the same considerations, to enlarge the electoral roll still further and, if so, what means would you suggest for the purpose ?—The League cannot contemplate without the gravest misgivings the enfranchisement of more than 10 per cent. of the population, and believes that that is the utmost which can safely be accomplished for some considerable time to come, without creating chaos.

(*f*) It has been suggested that, assuming adult suffrage to be impracticable at present, all adults not entitled to a direct vote should be grouped together in primary groups of about 20 or in some other suitable manner for the election of one or more representative members from each group, who would be entitled to vote in the provincial elections either in the same constituencies as the directly qualified voters or in separate constituencies to be framed for them. The suggestion has been discussed mainly with reference to rural villages, but might be made applicable to towns also ?—The League is opposed to any system of indirect election by groups of voters. As already stated, the League is strongly opposed to the enfranchisement of more than 10 per cent. of the population at present, and as it believes that the additional number of voters who would have to be enfran-

chised in order to accomplish this enlargement of the electorate could be enfranchised and dealt with administratively under the existing system, it feels that the question of the desirability or otherwise of indirect election by groups of voters scarcely arises. Should a system of indirect election by groups of voters be established parallel to, and not in place of, the existing system of direct election, the League is of opinion that the electoral groups thus established, and their representatives, should be included in the existing constituencies, along with the directly enfranchised voters. The League makes this recommendation simply in order to avoid the otherwise inevitable large increase in the number of constituencies, and is not oblivious to the fact that the representatives of electoral groups would be likely to form a comparatively insignificant minority of the voters in any constituency, by comparison with the number of directly enfranchised voters in the same constituency.

(*g*) It has been proposed that in the event of separate constituencies being framed for group electors, only group electors should be qualified to stand as candidates for such constituencies ?—In the event of such separate constituencies being created (to which course, as already stated, the League is opposed) the League would strongly recommend that only members of the electoral groups comprising them should be eligible to stand as candidates for election by them to a legislature. The League makes this recommendation in conformance with its strong conviction that no person whatsoever should be eligible to stand as a candidate for election to any legislature who is not a duly qualified elector of the constituency by which he is seeking election.

(*h*) Do you consider that it would be feasible and advantageous to abolish all the existing qualifications for voters and to extend a system of the nature described in (*f*) and to confine electorate for all constituencies to secondaries chosen by groups of primary voters ?—No.

(*i*) In the event of your answer to (*f*) or (*h*) being in the affirmative, what do you consider would be a suitable size for the groups referred to above ? On what basis would you constitute them, and whom would you charge with the duties of framing them ?—In view of the replies given to 1, (*f*) and (*h*), above, this question does not arise.

(*j*) Would you require any special qualification, whether property, educational or other, in the persons chosen by such groups to vote on their behalf for the election of members. If so, what ?—In view of the replies given to 1, (*f*) and (*h*), above this question does not arise.

2(*a*) Do you consider that in the areas with which you are acquainted, there is any marked disparity in the operation of the franchise qualifications in urban as compared with rural areas ? If so, what measures would you suggest in order to rectify such disparities ?—The League is strongly of opinion that the operation of the existing franchise qualifications have resulted in a most unfair disparity as between the voting strength and influence of rural areas as compared with urban areas, to the unfair advantage of the latter. The League attaches the utmost importance to the adjustment of this disparity and believes that the adoption of the recommendations contained in its reply to question 1(*a*), above, with regard to the widening of the property qualification, would assist towards such an adjustment.

(*b*) It has been suggested that each community should be given a voting strength proportionate to its numbers, and that the franchise system should be so contrived as to secure this result, in so far as it may be practicable ?—On the basis that, theoretically, it is only fair that each community should have a voting strength proportionate to its numbers, the League is in favour of the arrangement suggested, but at the same time is opposed to any artificial manipulation of the franchise designed to secure such a result. Under any system of joint electorates however, the probable result of a franchise based upon a property qualifica-

tion would be to place upon the electoral rolls a smaller number of Moslem voters than the community would be entitled to in view of its actual numbers. The reasons for this probable result are that not only is the Hindu community in a large majority in most provinces, but that the vast bulk of the wealth everywhere is in the hands of Hindus, the Moslems being a relatively poor community, even in Bengal where they have a small numerical majority. A system of franchise based upon a property qualification, with joint electorates, would therefore be likely to render much too large a proportion of the Moslem community (except of course in the Punjab and N. W. F. P.) ineligible for inclusion in the electoral rolls.

The obvious solution is the continuance of the existing system of separate communal electorates, and the League cannot contemplate the abolition or modification of this system, the continuance of which it considers essential for an incalculable period. However much friction the present system of separate electorates may cause, the League considers that its substitution by any system entailing joint electorates would give rise to infinitely greater friction, as well as resulting in injustice and the unreal representation of large numbers of voters.

(*c*) Is the possession of property of some kind in your opinion a suitable test of fitness for the franchise ? (The term " property " should be understood in its widest sense as including not only the ownership of landed property but also the occupation of land or house property or the receipt of income or wages whether in cash or kind.) If so, do you consider the existing property qualifications suitable ? If you do not, what modification do you suggest ?—The League is strongly of opinion that a property qualification is the only sound qualification upon which the franchise can be based, as it considers it essential that every voter should have some sort of stake in the country and it regards with the utmost alarm the suggestions which it has seen advanced for the grant of adult suffrage. In view of the very liberal interpretation of the word ' property ' contained in the Committee's questionnaire (with which interpretation the League entirely agrees) it is of opinion that the basing of the franchise upon a property qualification will prove eminently sound, satisfactory and fair.

The League does not consider the existing property qualifications suitable because of the marked disparity in the amount of representation accorded to urban areas as compared with rural areas which they have produced, and therefore considers that they require to be modified in order to (*a*) adjust this disparity and accord to rural areas the amount of representation to which they are entitled in view of the fact that at least 80 per cent. of the population consists of agriculturists living in rural areas ; and (*b*) permit of the enfranchisement of 10 per cent. of the population. For the League's detailed suggestions in this connection please see the answer given above to question 1(*a*).

(*d*) Are you in favour of introducing a qualification based on education, independently of property ? If so, what educational qualification would you suggest ?—The League is strongly opposed to the introduction of a qualification based on education independently of the possession of property, as it considers such a course would be both dangerous and unnecessary. It would infinitely prefer to see the enfranchisement of large numbers of illiterate persons possessing some stake in the country (and therefore an interest in its peace, good government and orderly progress) to witnessing the enfranchisement of even a relatively small number of ' educated ' persons with no material stake in the country.

(*e*) Are you in favour of retaining the existing military service qualification and extending it so as to include service in the Auxiliary and Territorial Forces ?—The League is strongly in favour of retaining the existing military service qualification, and also of extending it to include service in the Auxiliary and Territorial Forces.

3(*a*) At present women are admitted to the suffrage on the same terms as men, but as the existing qualifications are mainly based on property and the payment of taxes, the number of women on the provincial electoral rolls is only a little

over a quarter of a million as compared with 6½ million men. The Statutory Commission proposed that the wives and widows (if over 25 years of age) of men entitled to vote under the property qualification, should be enfranchised, and that in addition an educational qualification should apply to women over 21 as well as to men. In the Franchise Sub-Committee of the Round Table Conference it was suggested that the age-limit should be 21 for women as well as for men. Are you in favour of increasing the women's electorate in the ways suggested or would you prefer any other method? If so, what method? To what extent would you favour increase in women's electorate?—The League is strongly in favour of increasing largely the number of women entitled to vote, and of the measures for doing so suggested in the Committee's questionnaire, *i.e.*, by extending the franchise to the wives and widows of all males entitled to vote under the property qualification. The League is however strongly of opinion that the franchise should be restricted to women (and, for that matter, men also) over 25 years of age, in fact the League would prefer to restrict it to persons over 30 years of age in the case of both sexes. The League is opposed to the institution of any special educational qualification for women voters, other than any such qualification as may be made generally applicable to both sexes. The League does not suggest setting any limit to the number of women to be enfranchised, and considers that the number should be limited only by the natural operation of the Rules framed.

(*b*) In the event of a system of group representation being established as proposed in paragraph 1(*f*), do you consider that women should be formed into groups, and, if so, should separate groups be formed for women or should groups contain both men and women?—In the event of any system of group voting being established, the League is opposed to the segregation of male and female group voters into separate groups, if only for reasons of administrative convenience.

(*c*) The suggestion has been made that at any rate as a temporary measure legislature should co-opt women members to an extent not exceeding 5 per cent. by a system of proportional representation so as to ensure some representation of women in the legislature. What are your views on this suggestion?—In view of the recommendations made above for the enfranchisement of women, the League would prefer to see the results of those proposals before endorsing the suggestion contained in the Committee's questionnaire.

4. It is evident from the discussions which have occurred in various connections in the Round-Table Conference, that it is generally felt that provision should be made in the new constitution for better representation of the depressed classes, and that the method of representation by nomination is no longer regarded as appropriate. What communities would you include as belonging to depressed classes? Would you include classes other than untouchables, and if so which? Do you consider that the depressed classes are likely, through such general extension of the franchise as you favour, to secure representatives of their own choice in the general electorates, and if so, to what extent? If your answer is in the negative, what specific proposals would you make to secure their representation in legislatures? The possible application of the group system of representation to the depressed classes should be specially considered.—The League is in favour of more adequate and more genuine representation for the depressed classes, by means of a system of election instead of one of nomination. It realises moreover that unless a system of separate constituencies for the depressed classes is instituted—possibly with a specially low franchise qualification—the operation of the property qualification which it considers essential for voters in all ordinary constituencies would militate against the enfranchisement of adequate numbers of the depressed classes. It is opposed to the application of any system of group voting to these classes.

5. Assuming that such widening of the basis of suffrage in general constituencies as is found practicable does not provide adequate representation of labour what special measures would you recommend for representation of labour (*a*) where it

is or can be organized as in industrial areas, (*b*) where it is unorganized as in the case of agricultural and plantation labour. On what basis would you allot representation to labour in each case ?—The League is of opinion that the extension of the franchise envisaged by the Committee and by its own recommendations in reply to the Committee's questionnaire would result in providing adequate representation for labour of all kinds, and is therefore opposed to the creation of any special provisions for the representation of this interest.

(*a*) What are your views as to the retention of representation of special interests (Universities, Commerce, European and Indian, Mining, Planting, Labour, Landholders, etc.) in the legislatures ? If you favour its retention do you consider that the existing methods of election thereto are satisfactory ? If not, what suggestions would you make ?—As already stated in reply to a preceding question the League does not consider that, with the electorate widened to include 10 per cent. of the population, any special representation for Labour will be necessary. It similarly fails to appreciate the necessity for the continued existence of special university constituencies. It has already dealt, in a previous Memorandum submitted to the Committee, with the necessity for continuing the special representation at present accorded to Landholders in the central and provincial legislatures, and of increasing this special representation, especially in the central legislatures, where it is at present most inadequate. As regards European and Indian Commerce, and Mining and Planting interests, the League is equally strongly in favour of the continuance of the special representation already accorded to these interests in the central and provincial legislatures. In fact it considers the present representation accorded to them deplorably inadequate, and maintains that this should be appreciably increased, especially in the central legislatures. The exact number of seats to be allotted to these various special interests in the central and provincial legislatures can, the League considers, be most suitably indicated by their own accredited representatives.

6(*a*) The Federal Structure Committee proposed that the representatives of British Indian Provinces in the Upper Chamber should be elected by the Provincial Legislatures by a single transferable vote. Do you agree with this proposal or have you any alternative to suggest ?—The League is prepared to agree to the Federal Structure Committee's proposal, provided that (*a*) Upper Chambers are established in every province and combine with the Provincial Lower Chambers to elect the provincial representatives to the Upper Chamber of the Central Legislature ; and (*b*) that the establishment of this system does not preclude the existence of special constituencies (for Landholders, Commerce, etc.) which would also elect their own representatives to the Upper Chamber of the Central Legislature.

(*b*) Do you consider that the franchise qualifications ought to be different for the Federal and Provincial Legislatures ? If so, what do you consider it ought to be in the case of the Federal Legislature ?—The reply to the first part of the above question being in the negative, the second part of the question does not arise.

(*c*) The majority of members of the Federal Structure Committee considered that election to the Lower Chamber of the Federal Legislature should be by territorial constituencies consisting of qualified voters who would cast their vote directly for the candidates of their choice..... In view of the obvious difficulties which must confront a candidate in canvassing and maintaining contact with such large constituencies the Committee recommended that the alternatives of direct and indirect elections should be fully explored and suggested that while it might be possible without difficulty to adopt direct election in certain areas some form of indirect election might prove desirable in rural areas.....—The League is in agreement with the opinion of the Federal Structure Committee in the above connection, and is opposed to the establishment of a system of indirect election as regards *either* Chamber of the Federal Legislature. Should a system of direct election be found physically or administratively impossible however, the League

wishes to place on record its very strong objection to the establishment of any system which would accord direct election to certain areas and indirect election to others, as has been suggested by the Committee in its questionnaire. The League strongly objects to rural areas being penalised and urban areas favoured in the manner suggested by the Committee.

Memorandum submitted by Diwan Bahadur Munshi HAR BILAS SARDA.

There is at present no Provincial Legislature for Ajmer-Merwara, but as we people of this province claim, and have always claimed, that we have a right to have for our province the same system of Government as people of the other provinces of India have, and that we are entitled to participate and have the same voice in the administration of our province as the people of Bengal or Bombay or the Punjab have got, we demand that a Legislative Council that will fulfill the needs of our sn all province should be established without delay for Ajmer-Merwara. We contend that if it has been possible for Government to give a separate Legislative Council to Coorg which is half the size of Ajmer-Merwara and has less than a third of the population of our province, there is no valid reason, financial or political, why our claims to have a separate Legislative Council should not now be recognised and granted. I, therefore, proceed to give replies to the whole of the questionnaire, Provincial and Federal. I take up the questions in the order in which they are set out in the questionnaire.

PROVINCIAL LEGISLATURE.

1. EXTENSION OF THE FRANCHISE.

(*a*) The means by which the existing Franchise could be extended are to give a vote to :—

(1) Every literate man or woman,

(2) Every man or woman possessing property of the value of Rs. 2,000 or an annual rental of Rs. 100 or more,

(3) Every person who is owner of land assessed to land revenue of Rs. 50 or is an assignee of land revenue to the same amount.

(4) Every person who pays rent of Rs. 50 per annum as a tenant of agricultural land, whether as an exproprietary one or otherwise,

(5) Every person who pays income tax.

(*b*) I have no doubt whatever that such an electorate will be capable of casting an intelligent vote ; for we find that the cultural traditions of the country with which the social life of the people is saturated, and which are reflected in the daily life of the people in India, enable people to understand and form tolerably sound judgements on practical questions. Moreover, I am of opinion that until the Government of India becomes fully responsible to the people of India so that a defeat on an important vote in the Lower House of the Federal Assembly will invariably change the Government, the question of an elector casting an intelligent vote has not the same significance as in Countries like England or France. All that the elector in this country should be able to do is to cast his vote for the best and the most competent of the candidates who stand for election, and who in his opinion would most usefully represent his constituency in the Legislature and work there for the greatest benefit of the country and the province concerned. Later when the constitution becomes more and more democratised and the people's will in the Government becomes supreme, and when sufficient practical experience of the working of the new constitution has been gained, the question could be reconsi-

Memorandum by Diwan Bahadur MUNSHI HAR BILAS SARDA. [*Continued.*

dered in the light of that experience and the changed conditions of things then obtaining.

(*c*) There should be no great difficulty in the management of the electorate.

(*d*) Does not arise.

(*e*) As adult franchise has been accepted by the Franchise Sub-Committee of the Round Table Conference as the goal to be attained, the question whether it is desirable or not to enlarge the electoral roll does not arise. Enlargement is a necessary and an inevitable step and the only question that arises is the regulation of the speed with which the goal is to be attained in the circumstances of the country.

(*f*) Until full responsible Government is secured the question of allowing all adults not entitled to a direct vote, to participate indirectly in provincial elections by being grouped together is not a matter of importance and may be left out of consideration for the present.

When the time comes, the group system may be put into operation in rural villages at first. In my opinion the group electors should vote in the same constituencies with those entitled to a direct vote. A person who enjoys the confidence of twenty persons in the matter is as qualified a voter as one who pays the minimum rent or possesses the other minimum qualifications laid down in the rules.

(*g*) Does not arise.

(*h*) I would in no circumstances introduce the group system as the sole system of election. I consider it to be against the spirit of democracy and as eliminating personal responsibility as well as the right of the primary voter. I consider the group system, except as subsidiary or supplementary to the direct vote system, as unfeasible and undesirable.

(*i*) Does not arise.

2. FRANCHISE QUALIFICATIONS.

(*a*) I am aware of no marked disparity in the operation of the franchise qualifications in urban as compared with rural areas.

(*b*) As regards the retention of communal electorates, I wish to make it clear that I am against all communal electorates in any form or shape, as they seriously undermine national homogeniety and consolidation and hinder national development. And for this reason, the Council of the League of Nations representing the collective wisdom and experience of the advanced nations of the world has finally rejected them. All that those who demand them are entitled to is protection. The Council of the League of Nations has after a thorough investigation into the matter, laid down certain principles to be followed in the matter and these have been accepted by all nations who are members of the League of Nations; and India, being an original member of the League of Nations, and a signatory in her own name, of the Covenant is bound by the terms of the unanimous decision of the League in the matter.

In view of all this, communal electorates cannot be continued any longer consistently with India's obligations to the League of Nations.

Communal electorates are nowhere allowed in Europe. They cannot, as Legislatures become more and more responsible and are invested with power, but impair efficiency of administration, poison the fountain of justice, and divide the country into opposite camps. If continued, they will not only further embitter social relations, filling life with antipathies, antagonisms and enmities, but may eventually result in a conflagration which will disorganise society, upset the process of orderly national evolution and permanently injure British interests in the country. During the whole time they have been in operation, communal electorates have done

Memorandum by Diwan Bahadur MUNSHI HAR BILAS SARDA. [*Continued.*

so much harm that I would rather cry halt in the work of political development of the country than allow these electorates by their continuance, to shatter the very foundations on which a truly national edifice can be built.

As regards the voting strength of the various communities, such strength must depend on and be proportionate to the strength of the community on the electoral roll of a constituency, for the franchise is to be exercised only by those whose names appear on the electoral roll, and not by others.

In Ajmer-Merwara, however, there is no communal or separate representation and the question does not arise there. The question of reservation of seats does not arise either in Ajmer-Merwara. No legislation on questions of interest involving any conflict of interest has arisen up to this time and none is likely to occur. Moreover, the Moslems form 17·3 per cent. of the population of Ajmer-Merwara and as they cannot claim more than this strength and until 6 members are allowed to be returned by Ajmer-Merwara to the Federal Assembly, no reservation of seats is possible without grave injustice to the other communities.

(*c*) Yes. I have suggested modification under the head "Extension of Franchise", in view of securing a much more enlarged electorate.

(*d*) In view of the extension of Franchise I am in favour of extending it to all literate persons.

(*e*) I am not in favour of retaining the existing military service qualification.

3. WOMEN'S SUFFRAGE.

(*a*) Wives and widows of men entitled to vote under the property qualification should be enfranchised. No educational qualification not necessary in the case of men, should apply to women. I am against the system of co-option. A co-opted member is rarely a representative in the accepted sense of the term. Co-opting a member is substituting a shadow for the substance. Reservation of a number of seats for a time may be necessary.

(*b*) I am against the group system being applied to women.

4. REPRESENTATION OF THE DEPRESSED CLASSES.

In order to prevent misunderstanding between communities I would reserve seats for the depressed classes, though I am convinced that no interest of theirs will be served by it. I support the Monje-Rajah pact and would give effect to its provisions by means of joint electorates, the so called depressed classes will be able to secure representatives of their choice. I would confine the application of the term 'Depressed Classes' only to untouchables, in other words, to sweepers—which is the only untouchable class in Ajmer-Merwara. Till this is done, reservation of seats may be allowed.

5. REPRESENTATION OF LABOUR.

I would reserve seats for labour in industrial areas only.

5.-A. REPRESENTATION OF SPECIAL INTERESTS.

No such representation exists or is called for in Ajmer-Marwara and I would not put a new spoke in the wheel of progress and national consolidation. I would however, provide in the Constitution that when special legislation involving important questions connected with commerce, mining or labour is introduced, representatives of commerce, mining or labour should be nominated by Government to sit in the Legislature for the purpose of explaining those interests; but such representatives shall not have votes.

Memorandum by Diwan Bahadur Munshi Har Bilas Sarda. [*Continued.*

THE FEDERAL LEGISLATURE.

Allocation of Seats to British Indian Provinces.

The Federal Structure Committee have proposed to give one seat to Ajmer-Merwara in the Upper and one seat in the Lower Chamber, though the strength of both the Chambers is to be doubled or trebled. The Franchise Committee's questionnaire does not state the grounds on which the Federal Structure Committee have come to this conclusion. No opportunity was given to the people of Ajmer-Merwara to put forward their claims as to the number of representatives which this neglected province is entitled to send to the Central Legislature in each Chamber.

The present Legislative Assembly (the Lower House) consists of 104 elected and 41 nominated members. Out of the 104 elected members, Ajmer has the right to elect one member. If the lower Chamber of the Federal Assembly will in future consist of 200 members, in all equity, Ajmer-Merwara even according to the present restricted scheme would be entitled to send two members to it. If however, the lower Chamber should consist of 300 or more members, Ajmer-Merwara should have the right to return three members to the lower Chamber. To the upper Chamber also, Ajmer-Merwara should have the right to return two members. If Coorg with half the size of Ajmer and less than a third of the population has been allotted one seat in each House, is it fair that Ajmer which is double in size and has three times the population, should have less than two seats in each House ? Delhi, which has about the same area and the same population as Ajmer, has asked for three and two seats respectively in the lower and the upper Chambers. The geographical situation of Ajmer, places Ajmer in a position of peculiar importance. It is situated in the centre of Rajputana and as the new Legislature will be a Federal one, and will discuss all questions concerning relations between Indian States and British India, in which Ajmer-Merwara will be particularly interested as Indian States touch its borders at every point, Ajmer-Merwara should have proper opportunities for raising discussion on Federal questions and having its views fully represented there.

Moreover, every major province of India, (Bengal, Madras, Bombay, United Provinces, and the Punjab) will return to the new lower Chamber in future, almost double the number of members that they now send to the Legislative Assembly. The people of Ajmer-Merwara therefore, will not and cannot be satisfied if its representation is not proportionately increased in the lower Chamber and if it is not given proportionate representation also in the upper Chamber.

I am strongly against the provincial Legislatures electing representatives of provinces to the upper Chamber by a single transferable vote. All representation in the Federal Legislature whether the upper or the lower Chamber should be direct. The members elected to the Federal Legislature by the provincial Legislatures will be representatives of the local Legislatures and not the representatives of the people of the provinces. In order that the representatives of provinces should realise their responsibilities to the people of the provinces and keep in touch with them, they should be elected by the people direct, without any intermediary.

As regards the Franchise qualifications, I am of opinion that it should be the same for both Provincial and Federal Legislatures; for adult franchise being the ultimate aim, no differentiation is desirable.

I have already expressed myself in favour of direct election to both the Chambers of the Federal Legislature; and as in the Ajmer-Merwara constituency, there will not be more than 35,000 voters, if 10 per cent. of the population—both men and women—is to be enfranchised, the question of adopting the group system will not

Memorandum by Diwan Bahadur MUNSHI HAR BILAS SARDA. [*Concluded.*

arise, and the present system of direct representation will fully meet the requirements of the situation.

REPRESENTATION OF WOMEN, LABOUR AND DEPRESSED CLASSES.

As regards the representation of women, Labour or the depressed classes, no distinction need be made between these and the other classes of the population. As it is these classes do not demand special treatment in Ajmer-Merwara and their own interests would in the present conditions of Ajmer-Merwara, be best served by having the same system applied to all classes in Ajmer-Merwara.

Memorandum by Mr. MIRZA ABDUL QUADIR BEG, M.A., LL.B., President, Rajputana and Central India Provincial Muslim League, Ajmer.

I.—PROVINCIAL LEGISLATURE.

1. EXTENSION OF THE FRANCHISE.

(*a*) There is no Provincial legislature in Ajmer-Merwara, but presuming that one will be provided to satisfy the claims of the province, the franchise could be brought to 10 per cent. of the population by fixing a low property qualification.

(*b*) Yes, if Musalmans are given separate seats and separate electorates.

(*c*) Yes.

(*d*) Does not arise.

(*e*) *and* (*f*) No.

(*g*) Does not arise.

(*h*) No.

(*i*) *and* (*j*) Do not arise.

2. FRANCHISE QUALIFICATIONS.

(*a*) There being no Provincial legislature, there is no occasion to mark such disparity in provincial elections, but such disparity is certainly marked in the operation of the franchise qualification for the election to the Legislative Assembly from this Province. This could, however, be rectified by making the franchise qualification in the rural area, a little lower than that in the towns.

(*b*) Yes. The franchise qualification for Musalmans should be ⅓rd of that fixed for other communities. This is on the assumption that separate electorates are introduced. No feasible suggestion is concievable to secure this end in case of joint electorates whether with or without reservation.

(*c*) Yes. The qualification will have to be fixed and it may be ¼th of present qualification of franchise for the Assembly for other communities and 1/12th for Musalmans.

(*d*) Yes. Matriculates among Musalmans and Graduates of other communities should be enfranchised.

(*e*) Does not arise in this province.

3. WOMEN'S SUFFRAGE.

(*a*) In this province a women's electorate is rather premature and the question does not, therefore, admit of an answer.

(*b*) Does not arise.

(*c*) Does not arise.

4. REPRESENTATION OF THE DEPRESSED CLASSES.

Bhangies, Kollies, Regars, Chamars, Balais, Bhils, Kanjars, Sansies, and other criminal tribes may be included in the depressed classes. Almost all of them are untouchables. Their number in the province is so small that there is hardly any chance for them to secure their representation in the legislatures by means of election except through the group system which would not be feasible in this province. Their only chance in this province lies in nomination.

5. REPRESENTATION OF LABOUR.

(*a*) By reservation of a seat for labour.

(*b*) By nomination.

5-A. REPRESENTATION OF SPECIAL INTERESTS.

Does not arise in this province; nor would such representation be necessary or desirable.

II.—THE FEDERAL LEGISLATURE.

6. ALLOCATION OF SEATS TO BRITISH INDIAN PROVINCES.

There should be at least one seat reserved for the Musalmans in one of the two Chambers alternately.

(*a*) Yes; if Provincial Legislature is provided, otherwise by direct vote.

(*b*) Yes. Double that of the Provincial legislature.

(*c*) Direct election in this small province is not likely to present such difficulties and could be safely resorted to. Territorial constituency should be formed consisting of qualified voters who would cast their votes for the candidates of their choice; through communal electorates.

7. REPRESENTATION OF WOMEN, LABOUR AND DEPRESSED CLASSES.

There is no scope for a suggestion in this behalf in this province.

8. GENERAL.

The existing franchise and electoral rules for the election to the Legislative Assembly have hitherto debarred all communities, except the Mahajan Community, from returning a candidate of their choice. The property qualification is so high that the Mahajans though a comparatively small community in the population of the Province, outnumber the voters of all other communities combined in the electoral list. A substantial decrease in the franchise qualification is therefore needed to bring all communities in the electoral roll in proportion to their numbers in the population of the province. A safeguard in the form of separate electorates is also needed for the Musalmans against whom very strong bias prevails in the province and whose support to any one of the contesting non-muslim candidates for the assembly during the last elections has alone sufficed to discredit him in the estimation of the predominating section of Hindu electors.

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